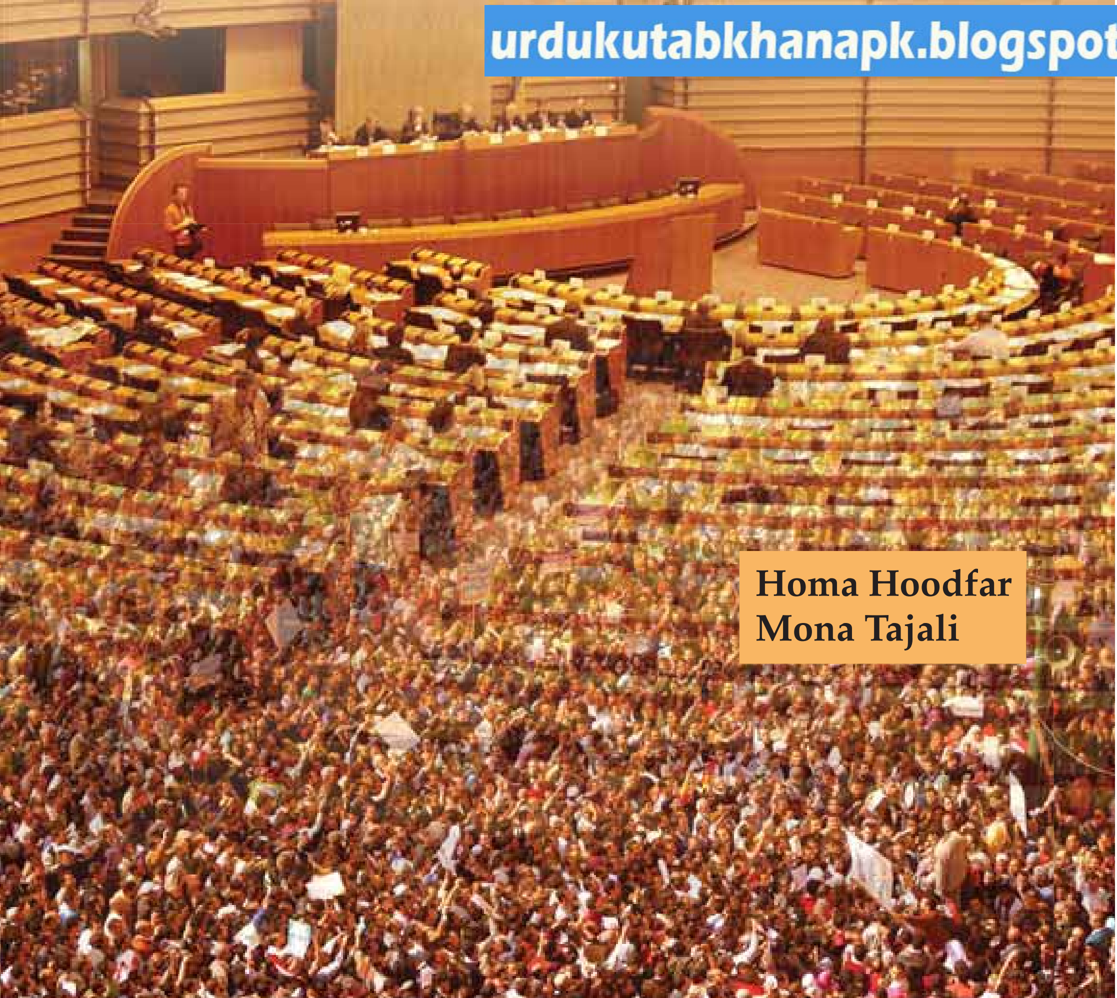
# ELECTORAL POLITICS

## Making Quotas Work For Women





Homa Hoodfar
Mona Tajali

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Homa Hoodfar and Mona Tajali

خواتین زیرِ اثر مسلم قوانین
Women Living Under Muslim Laws
النساء في ظل قوانين المسلمين
Femmes sous lois musulmanes

**Electoral Politics: Making Quotas Work for Women**
Homa Hoodfar and Mona Tajali

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Publications of the international solidarity network, Women Living Under Muslim Laws (WLUML), aim to provide information about the lives, struggles and strategies of women living in diverse Muslim communities and countries. WLUML publications make the accumulated knowledge and experiences of women’s rights movements accessible to a wide readership, as tools to help inform strategies and initiatives that promote greater autonomy of women worldwide.

# WOMEN LIVING UNDER MUSLIM LAWS

Women Living Under Muslim Laws is an international solidarity network that provides information, support and a collective space for women whose lives are shaped, conditioned or governed by laws and customs said to derive from Islam.

For more than two decades WLUML has linked individual women and organisations. It now extends to more than 70 countries ranging from South Africa to Uzbekistan, Senegal to Indonesia and Brazil to France. It links:

- women living in countries or states where Islam is the state religion, secular states with Muslim majorities as well as those from Muslim communities governed by minority religious laws;
- women in secular states where political groups are demanding religious laws;
- women in migrant Muslim communities in Europe, the Americas, and around the world;
- non-Muslim women who may have Muslim laws applied to them directly or through their children;
- women born into Muslim communities/families who are automatically categorized as Muslim but may not define themselves as such, either because they are not believers or because they choose not to identify themselves in religious terms, preferring to prioritise other aspects of their identity such as political ideology, profession, sexual orientation or others.

Our name challenges the myth of one, homogenous 'Muslim world'. This deliberately created myth fails to reflect that: a) laws said to be Muslim vary from one context to another and, b) the laws that determine our lives are from diverse sources: religious, customary, colonial and secular. We are governed simultaneously by many different laws: laws recognised by the state (codified and uncodified) and informal laws such as customary practices which vary according to the cultural, social and political context.

# About the Authors

***Homa Hoodfar*** is Professor of Anthropology at Concordia University. Her primary research and expertise lies in the intersection of political economy, gender, development, women's movement and electoral Politics in the Middle East. She has extensively studied indigenous empowerment strategies amongst those marginalized by legal constraints particularly in the area of family law and citizenship, economic penury, the making of civil society, women in local and national politics and displacement, with a particular focus on women in Egypt, Iran, Afghanistan, Pakistan, and amongst Canada's Muslim community. She has written extensively on reproductive health policies, their discursive justifications, and impact and implications for women's lives. She has been actively involved in Women Living Under Muslim Laws network since the 1980s and currently is a WLUML board member.

***Mona Tajali*** is an independent researcher and a PhD Candidate in the Department of Humanities at Concordia University in Montreal, Canada, where she researches women's political participation and representation in the Middle East, with particular emphasis on gender quotas as a strategy to address women's underrepresentation. She currently researches and teaches on topics of gender and Islam, human rights in Muslim cultures, and Muslim women's political rights and access to decision-making positions. Her doctoral research is entitled "Women's Political Representation in Iran and Turkey: An Analysis of the Obstacles and Strategies to address them". She also holds a degree in Political Science and Religion from University of Florida, USA and a Masters degree in Human Rights from University of Manchester, UK where she focused on women's rights and status in the Islamic Republic of Iran. She has collaborated with Women Living Under Muslim Laws' Women and Politics Program, and participated in many workshops and international conferences on issues of gender and electoral politics and female authority in Islamic thoughts.

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# List of Abbreviations

| | |
|---|---|
| AIWC | All India Women's Congress |
| AU | African Union |
| AV | Alternative Vote |
| AWS | All Women Shortlists |
| BV | Block Vote |
| BNP | Bangladesh Nationalist Party |
| CEDAW | Convention on the Elimination of All Forms of Discrimination against Women (1979) |
| COE | Council of Europe |
| CSES | Comparative Study of Electoral Systems |
| CSOs | Civil Society Organizations |
| ESS | European Social Surveys |
| FBF | Fredrika Bremer Association (Sweden) |
| FPTP | First Past the Post |
| G8 | Group of Eight Countries |
| HDI | Human Development Index |
| IDEA | International Institute for Democracy and Electoral Assistance |
| IMF | International Monetary Fund |
| IPU | Inter-Parliamentary Union |
| List PR | List Proportional Representation |
| MP | Member of Parliament |
| MDGs | Millennium Development Goals |
| NGO | Non-Governmental Organization |
| PBV | Party Block Vote |
| PFA | Beijing Platform for Action (1995) |
| POS | Political Opportunity Structures |
| PR | Proportional Representation |
| RPF | Rwanda Patriotic Front |
| SADC | Southern African Development Community |
| SAPs | Structural Adjustment Programs |

| | |
|---|---|
| SMD | Single-Member Districts |
| STV | Single Transferable Vote |
| TRS | Two-Round System |
| UN | United Nations |
| UNIFEM | United Nations Development Fund for Women |
| UNDP | United Nations Development Program |
| USAID | United States Agency for International Development |
| WB | World Bank |
| WID | Women in Development |

# Foreword: A Long Time in the Making

As an anthropologist, my inclination is always to start with the story of how a particular project started. The history of this book, which has been a long time in the making, stretches back some 15 years. It is a product of much research, several workshops, and many meetings with women activists across the globe. The initial idea was discussed among many of the Women Living Under Muslim Laws (WLUML) network members present at the 1995 Beijing Fourth World Conference on Women. After listening to Charlotte Bunch's speech[1] on women's many advances since 1985, we mulled over our growing realization that despite considerable progress there was still much room for improvement, and that one very significant arena where women's presence remained limited was in the governing bodies of our nation-states: parliaments, senates, constitutional courts, and other top-level decision-making bodies. Without women's presence in such legislative bodies, the realization of women's full and equal citizenship rights would remain lacking.

As part of the Beijing conference, the **Collectif 95 Maghreb-Egalité** coalition organized a mock World Parliament in collaboration with several other organizations, including WLUML and Shirkat Gah Women's Resource Center.[2] Based on Collectif 95 Maghreb-Egalité's publication "One Hundred Steps and Provisions for an Egalitarian Codification of the Personal Status Codes and Family Law in the Maghreb (One Hundred Steps),"[3] the mock Parliament debated a proposed universal Family Law Bill which would democratize marriage, making it an equal partnership. The day-long session drew some 2000 women from across the world, particularly from Muslim

1. Charlotte Bunch is the founding director of the Centre for Women's Global Leadership, and since the 1970s has been one of the foremost pioneering activists, authors, and organizers in the transnational women's, civil, and human rights movements.
2. Collectif 95 Maghreb-Egalité is a coalition of organizations across Tunisia and Algeria working for women's democratic rights. Shirkat Gah Women's Resource Centre has been a leading women's rights organization in Pakistan since 1975, with offices in Lahore, Islamabad and Karachi (see http://www.shirkatgah.org).
3. At the time, Islamists were calling for "the Muslim World" to be governed by a single unified family law. Women activists responded by creating their own document: One Hundred Steps (http://www.wluml.org/node/467), which outlined the egalitarian and gender-sensitive principles that such a Universal Family Law should guarantee.

contexts. It provided us with new horizons and strategies for the reform of family law across Muslim contexts, which to this day remains the most significant obstacle to many Muslim women's empowerment.[4] Further, the mock Parliament demonstrated clearly the role that a critical mass of women in parliament can play in shaping societies' futures.

The debates among WLUML networkers after this session focused more critically on key strategies to achieving higher rates of women's political representation. We all agreed that if women were present in their national parliaments in large numbers, a family law bill embodying the spirit of equality outlined in One Hundred Measures would indeed pass in many Muslim nations, having at least the support of the female constituency, as well of more progressive male constituents and parliamentarians. WLUML had already launched an International Research Program on Women and Law in 1991, which focused on women and their formal and informal political participation, as well the ways in which family law regulates sexuality and thus defines and confines women's bodily autonomy.[5] As such, WLUML was acutely aware of the significance of the link between political representation and woman-friendlier legislation and the reality that altering any family law through parliamentary processes would require women's active formal political participation in large numbers. At the time, Pakistan civil society seemed to be at the forefront of these debates, and it was suggested that our networkers there start the initial work of investigating this topic. Shirkat Gah and the Aurat Foundation subsequently engaged in extensive research and activism, effectively highlighting the importance of gender quotas in formal electoral processes, the central topic of this book, as one of the most important means of mobilizing women into decision-making bodies. As a result of their research and much activism by the Pakistani women's movement and civil society, today Pakistan has a relatively well thought-out gender quota for both local and parliamentary elections.[6]

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4. In 1997 a coalition of diverse organizations and activists from Muslim contexts and scholars of Islam launched a collective campaign for a universal guideline for democratic Muslim laws where women's rights are protected based on rights drawn from Islam and international human rights documents (see www.Mausawah.org).
5. See the international hand-book *Knowing Our Rights: Women, family, laws and customs in the Muslim world,* which is based on some 10 years of field experience, research and analysis by multi-disciplinary teams of networkers in over 20 countries across Asia, Africa and the Middle East (see http://www.wluml.org/node/588).
6. For more information on women's political representation in Pakistan, please see chapter four of Krook (2009), Shaheed, Zia, and Warraich (1998), and Hanif (2009).

In pursuing the Women and Law research program, I myself was in Iran during the lead-up to the 1997 presidential elections, and heard the news that Azam Taleghani, a one-time female Member of Parliament (1980-1984), subsequently banned from running in future parliamentary elections, was putting herself forward as a presidential candidate. Not surprisingly, she was also rejected as a valid *presidential* candidate by many conservative religious/political leaders, who decried the notion that a woman could hold a position of authority over men, and thus argued that the presidential position could only be held by a man. Nonetheless, Taleghani's bold move presented a challenge to the status quo, and the thought of even the possibility of a woman president electrified Iranian women from all walks of life. They relished imagining various scenarios and discussed these at dinner parties, in buses and taxies, and in grocery stores (Hoodfar 2000). Many women noted that Benazir Bhutto had been popularly elected, as were two Bangladeshi Prime Ministers, Khaleda Zia and Sheikh Hasina. The issue was also widely discussed in both liberal and conservative magazines and newspapers, both in and outside of Iran.

Apart from the potential for women leaders, the debates extended to examine more broadly the role of women in electoral politics generally. Some of my interlocutors at a women-only religious gathering in a very modest neighborhood in south Tehran claimed that women's political representation under the Islamic Republic should be much higher, for the good of the nation as whole. A grandmother present at the gathering, visiting from a small town, commented that "a true Islamic parliament would have more than 50% women because, we as mothers of men who gave birth to them will look after them, but as the marriage laws show men have not looked after our interests." Her remark was met with cheers from other guests. Looking across these debates in Iran and elsewhere in Muslim contexts, I found these perspectives very intriguing given that the general literature indicated that women were largely disinterested in politics, and that Muslim women were among the least politicized women globally.

Some two years later, in 1999, I was invited to an informal workshop in Cairo to discuss women's political representation in Egypt. The debates focused on the global discourse on gender quotas. Interestingly, it was not the pros and cons of gender quotas that dominated discussion; most participants appeared very familiar with such ongoing debates in Pakistan, India, Sweden, the UK, and especially in France (a country whose philosophical

and constitutional underpinnings of male privilege bore particular resemblance to the exclusion of women in Muslim contexts, despite France's very secular history). Rather, the most heated discussions focused on whether, in a country like Egypt, ruled by tyranny and an autocratic regime, a demand for gender quotas was even meaningful. While some participants argued that regardless of the political regime women's presence in electoral politics was crucial, others were less certain that the channeling of activists' energy towards promoting gender quotas would not come at the expense of other crucial issues requiring action and change.

Yet a third group pointed out that the Mubarak regime would not be in power forever, and the groundwork needed to be laid out for future meaningful women's political representation, in conjunction with mobilization of women for a truer democracy. (Interestingly, as this book is being launched, the regimes both in Tunisia and Egypt have fallen, and we are all anxiously watching and hoping to see whether a democracy that includes women's voices and upholds human rights for all will prevail).[7] In the end we agreed that the struggles are simultaneous, and that promoting the use of gender quotas should be a long-term project incorporated into subsequent activities and strategies, while keeping focused on the struggle for real democracy at grassroots levels.[8]

As a networker and researcher with WLUML, the participants in this Cairo workshop asked me to convey to the network the importance and centrality of the issue of women's political representation in ongoing programming and research. This is particularly because WLUML, as a transnational network, is well-positioned to keep abreast of developments in this area, and to link struggles across contexts. WLUML subsequently took up this task.

The interest in gender quota debates in the Middle East and North African (MENA) region were further heightened after the dominant Moroccan parties entered into a 'gentleman's agreement' in 2002 reserving 30 seats

7. Egypt experimented with parliamentary gender quotas as early as 1972, before they were popularized in Muslim contexts. However the quota measure was canceled in 1986, during a general revision of the electoral laws. Later, in 2007, Egypt did re-enact a similar quota provision for its parliamentary election with the hopes to address the dismal percentage of women parliamentarians, currently a mere 2%. However although gender quota discourse are very much part of the public debates, in the post 2011 revolution/refolution that overthrew Mubarak, it is not clear that gender quotas are being considered seriously by the constitutional committee.
8. Since then several large regional conferences on gender quotas have been organized in Egypt, in which many women parliamentarians have participated.

for women candidates on a special National List. Similarly in South Asia, activists followed closely the government's promises to increase the number of reserved seats in Bangladesh, as well as the revision of the existing quota system in Pakistan. Knowing my interest in the subject, the network asked me to prepare an overview of the debates for training workshops, and later this initiative expanded to the preparation of a booklet on gender quotas as a tool for interested networkers and activists in 2002. I invited Nazanin Shahrokni, a young Iranian scholar who had completed her Master's thesis on the question of women and politics, to work with me. However, the work that Nazanin and I began stopped as I suddenly became occupied by several developments, including the demand, by some self-appointed male Islamist leaders, for the recognition of Shari'a courts for Muslim communities in Canada and several European countries.

By the time I was able to turn my attention back to the matter of electoral gender quotas in 2007, Nazanin had left for doctoral studies at Berkeley and the debates had entered into a new phase, with much more research and publications based on various case studies available. To re-establish the research on gender quotas and bring the discussion to activist circles, I organized a 3-day workshop in Tehran, Iran with the support of "**Women's Empowerment in Muslim Contexts**" (WEMC) project of WLUML in May 2009 on "Discourses of Women's Electoral Politics and Quota Systems". For this workshop, I invited Mona Tajali, a PhD student who had researched parliamentary gender quotas around the world, to present her findings on some of the most and least successful cases. The amount of interest and insight that this workshop generated inspired both of us to organize this book as a kind of guidebook for activists currently advocating for women's political representation. WLUML thus invited Mona Tajali, who is also writing a comparative doctoral research on the evolution of women's political representation in Iran and Turkey, to join this project to co-author this book with me, back in 2009. She graciously accepted, even though it meant slowing her own thesis research.

Together we have poured over the vast literature and scrutinized various implemented gender quotas to identify their strengths and flaws, trying to highlight the most important lessons for quota advocates. As gender quotas are for the most part a rather new strategy, they continue to evolve through trial and error, and we have tried in this book to capture some key insights from past experiences. Apart from examining case studies, we also

benefited from the workshop participants' insights and responses to the most pressing questions around the implementation of gender quotas. The present work is thus the result of the review of the work of many scholars, to whom we are deeply indebted, as well as of the feedback we have received from women activists, and colleagues with whom we have shared our many drafts, in full or in part.

Homa Hoodfar

# Acknowledgements

Many people have been involved in this project – ranging from workshop participants, to colleagues and scholars in the field, to women activists, and more – we are unable to name everyone, but we are incredibly grateful for all the input and support to this work. We would like to express our sincere gratitude especially to Farida Shaheed, Sadia Ahmed, Vivienne Wee and Diane Singerman for their constant support of this project. We have benefitted greatly from the contributions of Chulani Kodikara and Faizun Zackariya, who travelled to Iran under difficult conditions to participate in our workshop on quotas and helped us to understand the situations and debates in Sri Lanka and in India. We are also grateful to Rashida Manjoo, a partner in the Working for Gender Equality project, who shared with us the experiences of South Africa and many other cases that she has been involved in. We also appreciate Stephen Sherlock's inputs on the Indonesian gender quotas, which greatly clarified the context for us. Additionally, we appreciate all the intellectual insight provided by Lynda Clarke regarding notions of female authority in Islam, and Kimberley Manning's valuable comments on gender quotas in developing contexts, particularly in the Rwandan case. This work is also greatly indebted to years of scholarly analysis of theories and major developments related to women's political participation, gender quotas, and gender quota diffusion by key scholars, such as Anne Phillips, Drude Dahlerup and Mona Krook, among many others. We would like to acknowledge their important contributions to the field, which greatly enriched the production of this work for quota advocates and interested individuals. We also want to thank Nazanin Shahrokni who started the initial research. We are especially thankful to Rima Athar who spent much time reading drafts of this work, and to Marlene Caplan for her skillful editing of the manuscript. We appreciate all the help and support of Nandita Dutta who helped with the preparation of this manuscript for publication by patiently answering our many technical questions. Furthermore, we are very thankful to Susie Brier who went beyond the call of duty to assist us with the publication and technicalities of this work.

We also would like to acknowledge the considerable benefit that we have received from a number of valuable databases and on-line resources, which have throughout the years compiled important data on women's political representation and electoral politics, on a global scale. In particular, this research greatly benefited from the up-to-date data, refined terminology, and tables and graphs of intergovernmental organizations, such as the International Institute for Democracy and Electoral Assistance (International IDEA www.idea.int). Especially, much of the data in this research was acquired from the "Quota Project: Global Database of Quotas for Women" (www.quotaproject.org), a database which is organized by International IDEA, Inter-Parliamentary Union (IPU www.IPU.org), and Stockholm University. We are thankful to these on-line resources and international databases for granting us the permission to reprint some of their data here, such as graphs, tables, and important dates and definitions. This work also greatly benefited from the comprehensive resources that are made readily available on other organizational websites, such as the Center for Women's Global Leadership (www.cwgl.rutgers.edu), International Knowledge Network of Women in Politics (iKNOW Politics www.iknowpolitics.org), and ACE Electoral Knowledge Network (www.aceproject.org).

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# Chapter 1

## Introduction: Women and Representative Democracy

**The Long Struggle against Women's Political Exclusion**

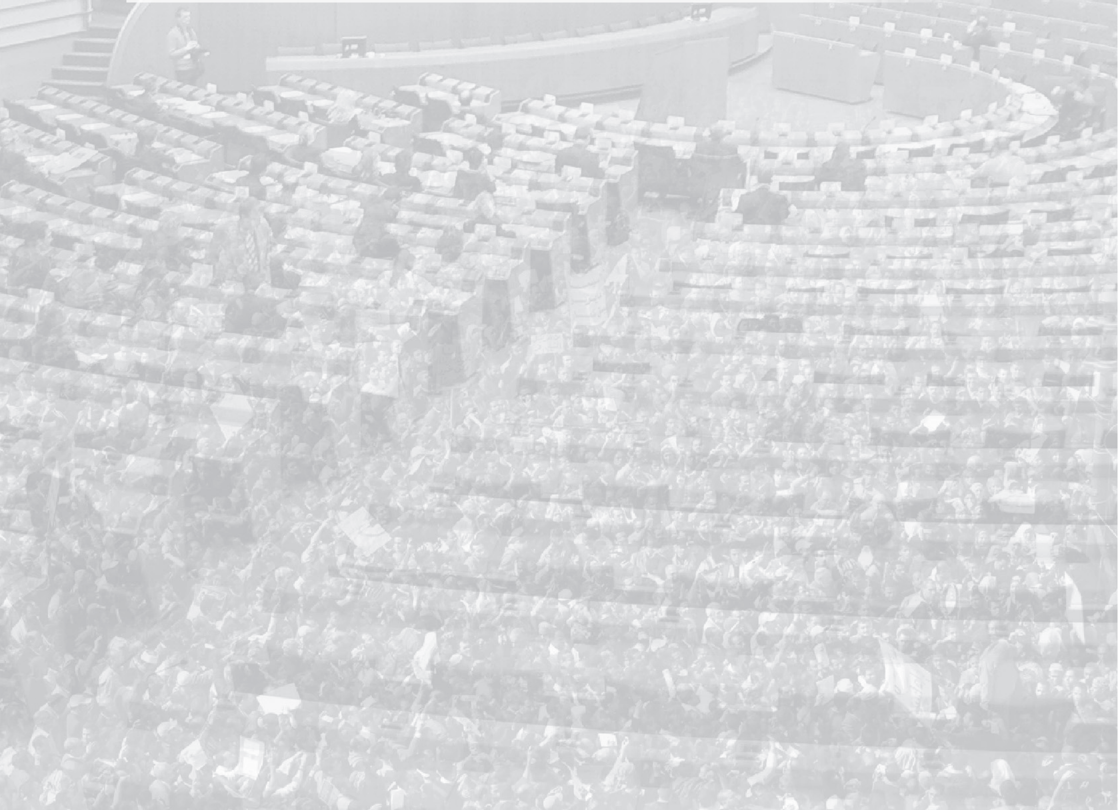
**What Keeps Women Out of Politics?**

*State Gender Ideology*

*Cultural and Social Barriers*

*Institutional or Structural Barriers*

**Organization of the Book**



# Introduction: Women and Representative Democracy

Arguably the most appealing aspect of representative democracy is that the interests of the majority are represented within the political decision-making apparatus; thus, at least in theory, policies and decisions support the interests of the majority of the nation. After all, the core of democratic politics is theoretically about the distribution of resources amongst the nation as fairly as possible, with an eye to protecting the interests of future generations as well (Singerman and Hoodfar 1996). As such, a democratic political system should provide space for the involvement of *all* citizens in decision-making and neither deny nor capitulate to a particular group (Phillips 1993, p. 5). However, despite acceptance of this feature of democracy, it remains at best an ideal waiting to be actualized. Throughout political history, the exclusion of various groups has been systematically built into political structures, particularly based on markers of identity such as gender, race, ethnicity, class, or property ownership. It is only as a result of great struggles by diverse groups and constituencies that democracy in practice has expanded to include the demands and rights of non-elites.

As women have well understood, the sphere of politics has always been primarily male-oriented and dominated, and to this day male elites continue to employ sophisticated and subtle strategies to protect their privilege and to influence political decisions. Male dominance in politics which has created an unfriendly environment for women to access political positions is evidenced in myriad ways, one simple example being how informal meetings amongst political power-brokers are often held at hours that make them almost impossible for women to attend.[1] It is also apparent that the rights to vote and to be elected are not sufficient guarantees for substantive

1. In many societies this is due to women's domestic responsibilities. Other mechanisms to exclude women include holding informal meetings in all-male clubs, or, as we have observed in some Muslim contexts, formal political meetings are organized in mosques, where women are either prohibited from entering or must sit apart from the men and thus cannot actually participate. Campaign financing is also a major factor in the exclusion of women in politics, especially for those with modest means and less social networks, as wealthy contributors support candidates whose positions will protect their own interests.

democracy. The history of women's political representation makes this abundantly clear. It took more than a hundred years of political activism and lobbying for women in the longest-established democracies (such as France, the United Kingdom, the United States) to gain full political rights; decades later there still remain major gaps in their parliamentary representation. Thus for those of us continuing the struggle, identifying the mechanisms of exclusion and control is a crucial step to successfully mobilizing for reforms that will remove the obstacles to true representation in the political process.

Almost a century has passed since women gained suffrage in the West[2] and some 50 years since they gained full democratic rights in many parts of Latin America, Asia and Africa. In the last few decades, as more research has led to greater understanding of the mechanisms by which women are excluded from political processes and power, there has been a swell of momentum-building and action to launch campaigns for women's political inclusion. The rising chorus of voices from around the globe objecting to women's political marginalization made it clear that the problem is a global one. This led to the realization that women must organize not only nationally but also across nations to more successfully end systematic political exclusion. The swell of efforts and momentum to address women's political marginalization coincided with the United Nations (UN) Decade for Women (1976-1985), during which a series of international and regional meetings brought together women scholars, activists and policymakers from around the globe (Tinker and Jaquette 1987; Molyneux and Razavi 2006). Never before had so many politicized women from such diverse contexts come together to share and exchange their lived experiences. The architects of these international conferences had intended to focus specifically on strategies to include women in the promotion of economic growth and development. However participants made these gatherings their own, exchanging ideas and debating and networking on a diversity of issues, including more equal representation of women in political institutions. Through subsequent conferences, the publication of books and papers, as

2. The term "West" alludes to a political region rather than a geographical one. Geographically, Western states are located on different continents of Europe, North America and Australia; politically, these states are established representative democracies, with a relatively high socio-economic status of women. Although we are aware of the problematic nature of West versus non-Western categorization, since it can imply homogenization of otherwise heterogeneous regions and states, for the purpose of this book these categories are used to merely distinguish between the overall economical and social status of the two political regions.

well as petition and letter-writing, women lobbied not only their own states but also the United Nations. They insisted that the issue of women's political underrepresentation was a global phenomenon that needed to be tackled at the international and national levels simultaneously. Their voices did not go unheeded.

In 1990 the United Nations Economic and Social Council endorsed a target of 30 percent women in decision-making and parliamentary positions, to be respected by all member states.[3] Additionally, in 1995 the United Nations Fourth World Conference on Women, held in Beijing, presented its *Platform for Action*, emphasizing the need for government measures to increase women's representation. These actions and the subsequent international agreements further validated the decades-long feminist demand for an end to discriminatory practices and regulations that hinder women's access to politics. Signed unanimously by all 189 UN member states, the *Beijing Platform for Action* shifted the discourse of women's underrepresentation from blaming women for their lack of general political will to holding the state responsible for ending exclusionary practices and integrating women into politics (Dahlerup 2006b, p. 4-6).

Although the UN has no mechanism other than "naming and shaming" to force member states to honor their commitments, the Beijing document affirmed and promoted the legitimacy of women's movements to demand reforms of their political systems. High-profile conferences discussed the various ways, within different contexts, that women have been and continue to be excluded. Women activists from developing nations argued that political underrepresentation signaled that women's concerns had not been sufficiently addressed, and that inadequate resources were being allocated to issues directly affecting women or to removing obstacles to societal development. This has been evidenced with regard to inefficient attention to the promotion of women's education, health, job training or skill building, or to addressing issues of violence against women in the public and private spheres, or to the reform of family law which in most contexts makes women subjects of their husbands. Activists arguing for substantive change across these spheres concluded that it could only come about if women were elected in appropriate numbers to legislative parliaments.

3. For more information please visit http://www.un.org/documents/ecosoc/cn6/1995/ecn61995-3add6.htm

One measure that women activists lobbied around was quotas in national parliaments. Although political quotas were first adopted in India in the 1930s and later in Bangladesh and Egypt, it was the quota systems in the Nordic countries – particularly Sweden and Norway – that succeeded in increasing women's political representation on a national scale during the 1980s. This success caught the imagination of activists around the world, and the adoption of gender quotas in politics has since become widespread. In the 1990s about 50 states adopted quotas, followed by 40 states since 2000. More than 75 percent of all countries that have ever adopted such quotas did so only in the last fifteen years. Interestingly, the majority of states adopting gender quotas in *recent* years have been from non-Western contexts, particularly non-industrialized states.

It is of the utmost importance to note that quota systems have been understood and applied very differently in different societies. For instance, in some countries the quota system has been applied to the candidacy level of elections, while in others it has been applied to the final make-up of parliamentary seats. Indeed, as we will explore, the particular type of quota applied in a state's electoral system, and its implementation process, have important implications for democracy as well as for women's substantive representation.

Clearly, as women around the world have come to realize, the right to vote in and of itself does not result in equal representation of both genders in politics. Today, despite close-to-universal suffrage, long-established in many cases, women are still organizing and struggling for equal political rights, and are increasingly monitoring the workings of the political system in order to make sure that political gender equality is actually attained and protected. Women activists have researched and documented the experiences of diverse political systems, assessing the pros and cons of each, in order to push for reforms and policies, including gender quotas that would work best in their national contexts. Informed activism and learning from each other's experience is necessary to promote gender equality in politics. Not surprisingly, given the diversity of experiences with quota systems in different countries, many lively debates among feminist scholars have arisen on this topic.

In this publication we hope to outline an overview of these debates, and to provide an examination of various case studies in order to inform and support activists and policymakers currently working to promote women's political equality. However, it is necessary to first outline why and how women have been excluded from political structures, as well as how,

often through mythology, their exclusion prior to and after they gained the right to vote has been justified.

## The Long Struggle against Women's Political Exclusion

The struggles for women's access to political participation began with the demand for women's right to vote, since suffrage was originally conceived as the exclusive right of men. Justified by various assumptions of women's intellectual, psychological, and physical inferiority, the political domain was argued to be no place for this weaker sex (Pateman 1988; Scott 1996a). Thus, throughout most of the major political, philosophical, and social shifts in human history that targeted the advancement of human rights, women were not considered completely *human.* Instead they were regarded as second-class citizens requiring male protection and guidance. Furthermore the cultural and ideological beliefs that relegated women to the private sphere were codified into political thought and practice.

A telling example of women's marginalization was particularly evident in the aftermath of the 1789 French Revolution, which radically enhanced human rights through the promotion of the ideals of liberty, equality and fraternity. None of these gains were, however, extended to the female sex. Women, who had participated widely in the revolution, protested, demanding the same citizenship rights granted to men, including the right to political participation and the recognition of the equality of men and women. They formed political groups, organized petitions and lobbied the intellectuals (Mousset 2007; Scott 1996b). In 1791, Olympe de Gouges, a radical revolutionist who fought alongside her male peers, outlined these demands in a statement titled *Declaration of the Rights of Woman and the Female Citizen*, calling for equal citizenship. That women's exclusion was not a mere oversight by the male elites of the Enlightenment, but rather an active attempt to dehumanize women, is evidenced by the fate of Olympe de Gouges. Her efforts to achieve women's citizenship rights, including the right to political participation, resulted in her execution by guillotine in 1793 on charges of hysteria and wanting to be a "statesman" (Tomasevski 1993; Bauer 1996). Her execution however did not silence women's voices or stifle their actions; after more than one hundred years of demands for legal reforms supporting equal rights, women's political rights were gradually recognized. Olympe de Gouges' declaration not only serves as a testimony to women's long and difficult struggle, it also served as a model for other women's charters of rights created two hundred years later; much of its spirit

is reflected in the 1979 UN Convention on the Elimination of All Form of Discrimination against Women (CEDAW).[4]

The history of women's struggle against exclusion from the political sphere deserves our attention and analysis. Indeed many of the same excuses and practices that marginalized women more than a century ago remain today. Women's political exclusion has not been accidental, or unintended, or due to a lack of interest on the part of women to participate, nor are any of these the case today. This exclusion was deliberately engineered by male political leaders at the "dawn of democracy", with the signing of the American and French revolutionary declarations of 1776 and 1787 respectively. In a historical sense these declarations, which claim equality amongst all human beings and citizens, are considered to mark the birth of the first democracies, despite the fact that they did not grant voice to more than half of the population, namely women and racial minorities.[5] Their underlying assumption was that women's primary duties lay within the domestic sphere, and that participation in the public and political spheres was beyond a woman's biological capacity and destiny - tropes that continue to prevail, even in some modern democracies. Though such assumptions are not overtly mentioned in the official policies of these states,[6] they are nonetheless an ingrained aspect of many cultural beliefs and practices, and easily translated into the framework of government policies and the way women's economic and productive activities are viewed (Waring 1999; Nash 1995).

To justify such discrimination, political elites have referred to a series of assumptions ranging from women's intellectual deficiency to patriarchal ideology whereby men are considered the "natural" heads of the household

4. Olympe de Gouges' declaration was not the oldest, the first, or the only feminist declaration of its time. But because of its comprehensive nature and the manner in which it protested women's exclusion, it has today come to symbolize women's resistance to male dominance.

5. To better illustrate this, we can point to the Blackwell Encyclopedia of Sociology published in 2007, which under the category "democracy" notes: "The US was the first democracy, established in 1776. It was followed, in order, by Norway (1815), France (1815), Belgium (1831), the UK (1832), Germany (1848), Switzerland (1848), the Netherlands (1849), Denmark (1849), Italy (1861), Sweden (1866), and Japan (1889)…" (Sanderson 2007). The listed states are considered democratic at these dates, despite the fact that they did not grant citizenship or the right to vote to the female segment (and in some case to minorities) of the population. This of course, goes against the definition of democracy, a system that is based on *public* participation.

6. Relegating women to the private sphere, in which their roles as mother and wives are prioritized over all other duties, has been and continues to be part of state legislation and constitutions of various states.

and the community at large. For instance, a common claim made at the time of the revolutions (and which continues to be made today by many men in diverse countries) is that women's interests will be protected by their husbands and fathers. On the other hand, various intellectuals of the Enlightenment justified women's exclusion by developing a theory that argued women lack the necessary political **imagination and intelligence** to participate in politics (Scott 1996b).[7] Although some political theorists viewed women as having a vital role to play in society, this was not as citizens and political actors, but as the upholders of the private foundation of the political world of men.

Intellectual, political and scientific discourses penned by feminists and women's rights activists, as well as women's longstanding political activism, have long demonstrated the fallacy of women's inferior intellectual capacity and unsuitability for politics and public life. One of the earliest transnational movements, formalized in the first transnational congress of women's rights in Paris in 1878, created a network of suffragettes supporting one another in their efforts and political activities (Rupp 1997).[8] Over the course of many decades women from various countries began to win the right to vote (see Appendix A). They had hoped that their political rights would gradually bring a large enough number of women into electoral politics to reformulate and reshape the institutions that had evolved as male-only clubs. However, the goal of equal representation of both genders has yet to materialize in the majority of global political institutions within the 21st century, illustrating a slow progress since the 19th century.

Therefore, the dearth of women in the political structures of modern democratic societies has been a major obstacle to the removal of other forms of social and legal discrimination against women and has negatively impacted other aspects of women's rights, including health, education, employment and much more, since women's interests in such debates have often been overlooked. After all, politics is really about the distribution of a nation's resources. In response to the lack of female representation and the neglect of issues of concern to women, feminists began to strategically

7. Among others Scott (1996) discusses how Rousseau justified the exclusion of women from politics.

8. The debates around how to achieve women's rights and political equality, how to adopt appropriate strategies to enhance women's political rights as well as providing transnational solidarity and support by sharing the experiences of women's movements across diverse countries led to this first transnational congress of women, held in 1878 in Paris (Rupp 1997, p. 14).

politicize women's issues, beginning with the domestic sphere. The notion that the "personal is political"[9] was one such approach to this particular divide, introducing the idea of the centrality of the personal and domestic to the body politic and a thriving society (Phillips 1998a).[10] In sum, despite having secured their political rights in the early decades of the twentieth century, at least in Europe and North America, by the mid-1970s women were still far from the goal of *gender balance*, or a 50-50 representation of both sexes in elected offices. This underrepresentation on a global scale spurred many women activists and scholars to re-examine the causes of low female political representation (see Table 1.1). As this table indicates, although women constitute at least half of the world's population, they are represented by only about 19 percent of female parliamentarians worldwide.

## What Keeps Women Out of Politics?

A common assumption held by proponents of suffragette movements and other social commentators interested in women's equality was that women's right to political participation would automatically lead to increased representation as societies developed and modernized. Such an assumption, particularly in developing countries, was rooted in the belief that modernization and democratization are pre-requisites for achieving gender balance in political representation. However, evidence from many of the strongest and longest democracies and industrialized nations, such as the United States, France, and the United Kingdom, does not support this assumption, given that the levels of female political representation remain low despite women in these societies having obtained formal political rights in the early twentieth century.[11]

9. 'Personal is political' is a powerful phrase which was coined by feminist Carol Hanisch (1969) in her essay with the same title, and refers to the theory that personal problems deserve political attention.

10. Such efforts have included lobbying governments concerning childcare at the workplace, healthcare and maternity systems, and other domains previously deemed outside the scope of government concern. It has been successfully proven, for example, that child welfare support for working mothers is a political issue in that a state support system leads to more prosperous economies. As well, feminists in many nations have been able to politicize domestic violence, previously considered a private "personal/family/domestic" matter.

11. As Pamela Paxton states, most definitions of democracies as presented by renowned political scientists, such as Larry Diamond, Samuel Huntington and Seymour Martin Lipset, consider universal *male* suffrage as the initiation of a democratic state, with no regard for **women's deliberate exclusion**, yet, all authors acknowledge that a fundamental aspect of democracy **is popular control**. Paxton concludes that such false representation of democracies distorts the democratic waves that came over Europe, the transition dates of various states, and the actual causes of democratization (2000, p. 92).

Table 1.1 Women in national parliaments, regional differences as of November 2010

| Region | Single House or lower House | Upper House or Senate | Both Houses combined |
|---|---|---|---|
| Nordic countries | 41.6% | --- | --- |
| Americas | 23.1% | 23.7% | 23.2% |
| Europe – OSCE member countries excluding Nordic countries | 20.1% | 19.5% | 19.9% |
| Sub-Saharan Africa | 19.0% | 20.9% | 19.2% |
| Asia | 18.7% | 17.0% | 18.5% |
| Pacific | 12.6% | 15.4% | 12.6% |
| Arab states | 12.4% | 8.4% | 11.6% |
| **World Average*** | **19.4%** | **18.2%** | **19.2%** |

*Source*: Adapted from Inter-Parliamentary Union as of 30 November 2010 http://www.ipu.org/wmn-e/world.htm

* The World average is as calculated by the international organization Inter-Parliamentary Union

*Notes*: Regions are classified by descending order of the percentage of women in the Lower or Single House. More emphasis is placed on the Single or Lower House, as these are the members often democratically elected, whereas in the Upper House, members are often appointed.

Another common assumption concerning women's low levels of political representation has been women's limited access to material and social capital, including low levels of women's labor market participation, education, and access to significant social networks. But findings from recent studies reject this simple equation, suggesting other forces at work. For instance, countries with high percentages of women's enrollment in secondary or tertiary education, such as Iran or the Republic of Korea, have extremely low levels of female parliamentarians (below 10 percent); while some states with extremely low levels of female literacy, such as Pakistan and Nepal, have high levels of female representation (above 20 percent). Similarly, the level of female economic activity does not correlate with a state's percentage of women in national parliaments. While female economic activity in Cambodia and Gambia ranges from 70 to 80 percent according to UNDP estimates, the percentage of female representatives in parliament is below 10 percent. Such studies indicate the complexity of factors that mitigate women's political participation (UNRISD 2005).

Similarly, the fact that some communist bloc and non-industrialized countries have had some of the highest percentages of female parliamentarians, and that India, a country known for its discrimination against female children, was ruled by an elected female prime minister as early as 1966, also complicate the neat equation that suggests "democracy + development" will lead to gender equality. More recently in 2003, Rwanda also stunned the world by surpassing the percentage of female parliamentarians in Nordic countries, which until then ranked the highest in the world, by electing 48.8 percent female representatives. Hence, it appears that the level of women's political representation is not necessarily related to a country's level of formal democracy or to economic advancement.

These observations have led to considerable new research and debate attempting to map out the various factors that hinder or promote women's access to political decision-making power within democratic societies (Phillips 1993; Phillips 1991; Paxton, Kunovich, and Hughes 2007; Howell 2006; Lovenduski 2005; Sapiro 1998; Rule 1994; Zimmerman 1994; Varma 1997). Based on extensive review of these studies, we have identified three broad and overlapping zones that lead to women's exclusion from the political sphere. These are: the gender ideology of the state, cultural and social barriers, and institutional and structural barriers. Although such categorization may appear rather reductionist given the multiplicity of reasons and contexts that cause women's underrepresentation in the political sphere, they nonetheless will help us to outline practical strategies that women have adopted to address these obstacles.

***State Gender Ideology:*** Until recently the existence of a democratic structure (defined as a system that holds fair and open elections) was viewed as the most important element for women's incorporation into political structures; state gender ideology and the political will to include women received little attention (Paxton 2007, p.135). However, state gender ideology, commonly reflected in a society's constitution and legal framework, can endorse, tolerate or even oppose women's presence in politics and public life, greatly impacting the extent of women's access to political office and the larger public sphere. As discussed earlier, the much-celebrated American and French revolutions denied women citizenship and excluded them from politics. Conversely, the revolutionary ideologies of communist China and Cuba deemed women as essential political participants and promoted the inclusion of all citizens. Furthermore, the collapse of communist states and

their move towards "democratization" in the early 1990s resulted in a drop in the percentage of female political representatives. Clearly the levels of women's representation are significantly related to state ideology on gender, rather than to the prevailing political system. Although one may argue that under "non-democratic" systems representatives are not able to influence political decisions, this does not always hold true. In fact, some evidence suggests that under such systems various women-friendly laws, particularly in the area of family law, have more often undergone greater reform, and given women more rights than previous systems had afforded them, even if they failed to achieve complete equality.[12]

Furthermore, one can argue that *politics of presence* matter. That is, regardless of the political system, the *presence* of significant numbers of women in the political arena leads to the normalization of women as part of the political landscape, which helps break taboos about women in power and can in turn improve women's status (Phillips 1995).

***Cultural and Social Barriers:*** A second cluster of obstacles to women's political participation is cultural and social barriers including religious ideology.[13] These obstacles discourage women from entering politics in a variety of ways and degrees, but mostly include socialization and cultural and religious attitudes that consider politics an exclusively male domain.[14] In this regard, it is important to keep in mind that public opinion matters greatly in elections and thus how the public perceives women's place in society can be decisive. Similarly, prevailing religious beliefs also shape women's presence in the public sphere. For instance, if a common belief is that women's voices should not be heard by unrelated males, or that women need their husbands' permission to leave their homes, women's entry into politics will be severely constrained and men will continue to dominate the political sphere. And when societal norms suggest that women's roles should be limited to the

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12. For instance, immediately after the Chinese revolution women were given the right to divorce, which they took advantage of in great numbers as many of them had been married off as children without their consent. And, although women did not get equal access to decision-making positions, they still had relatively higher access to education, the labor market and independent income than women in many other countries.

13. *Culture* here is generally understood as webs of the dominant beliefs and attitudes of a society at a given time. Various scholars researching women's public roles argue that culture matters greatly in determining women's position in the public sphere (Inglehart 2003).

14. The route to political office in many countries is very often through the legal profession, a field in which women often hit the so-called glass ceiling and are unable to obtain elite positions of power and leadership.

domestic sphere as mothers and wives, then women acting in the public sphere may be viewed as rebels harming their families and undermining the fabric of society in order to fulfill their own ambitions. Similarly if women are considered apolitical, irrational, emotional, inferior, or incapable of acting independently from men, they will not be taken seriously as candidates for political power (Paxton 2000). A receptive state gender ideology, an active women's movement, and influential role models are among the most important means of counteracting these obstacles. As the experiences of women everywhere indicate, to bring about such conditions requires unflagging, continuous, vigilant effort on the part of women activists and those interested in social justice for all. Such efforts are even more crucial and demand more commitment and strategic analysis under states such as Iran or Saudi Arabia, whose governments oppose outright the presence of women in public life.

However, despite the many cultural, religious, and social obstacles that women face when attempting to access a political position, it is important to be cautious of simplistic explanations that consider culture/religion as the key factor in women's exclusion from public life. It is important to keep in mind that religions are understood and practiced very differently by the various communities that adhere to them. Furthermore *cultures are not static. They are contested* by various social forces and are continuously evolving. After all, historically, democracy was not an inherent part of European culture or religion, and only came about as the result of organizing and agitating by civil society. An essentialist and reductionist approach to culture, particularly when scholars deal with non-Western societies, ignores the considerable complexity of social and political changes that are shaping the world and women's lives. For instance some scholars researching Muslim societies focus only on a few variables and disregard the vast differences between various Muslim cultures (ranging from Indonesia, to Saudi Arabia, to Iran and Turkey), concluding that Muslim nations have the most conservative attitude towards women as political leaders (Fish 2002; Inglehart, Norris, and Welzel 2003; Inglehart 2003). This approach cannot account for the fact (among others) that many Muslims have *popularly elected* female heads of state. Indeed, four of the five biggest Muslim-majority countries, namely Indonesia, Pakistan, Bangladesh and Turkey, have elected women as leaders. Neither can a culturally reductionist approach explain why many of these societies have adopted features of republicanism, but have in some cases resisted addressing the issue of gender equality. Simplistic analyses

problematically divert researchers from recognizing and seeking to understand the complex web of factors involved.

Cultures ascribing a more rigid sexual division of labor, particularly in relation to domestic chores and childrearing, also disadvantage women in terms of the time required to participate in formal politics. In almost every context worldwide, women still perform the majority of domestic and childrearing tasks, based on the historical cross-cultural sexual division of labor (Paxton, Kunovich, and Hughes 2007; Folbre 2001; Martínez Franzoni 2010; Benería and Roldán 1987). Randall's 1982 survey of women politicians in New York concluded that the most serious and enduring obstacle for women in office is responsibility for children still at home. The survey also noted women do not find politics boring or corrupt. Motherhood as a situational constraint was also echoed in a study of British women Members of Parliament (MPs); out of the twenty-seven women MPs elected in 1974, only two had children under 10 years old (Randall 1982, p. 85-87). It is likely that over time, as mothers become adamant about participating in formal politics, fathers will become more involved in child-raising and domestic chores, and states will provide more services to support families.

***Institutional or Structural Barriers:*** The third and possibly most significant cluster of obstacles we address here are identified as *institutional or structural barriers*. These constraints include political systems, electoral rules, political party structures, and institutional cultures, such as campaign financing trends which tend to discriminate against women. Many scholars argue, for example, that mechanisms within the structure of political parties work to limit qualified and experienced female candidates' entry into top decision-making positions (Paxton 2007; Kittilson 2006; Phillips 1998b). The increasing realization that political parties often work to undermine efforts to make politics more inclusive has greatly influenced the strategies that women's movements have adopted to promote female political representation, as the various case studies in this work will discuss. This area has been the focus of women's rights research and activism in recent decades; thus proponents of gender quotas have devoted their energies to opening up the political space available to women.

It has taken more than half a century of observation and research, and often immense frustration, for women's political rights proponents to recognize that once a right is secured, its implementation must be rigorously monitored and legal reforms and refinement must follow to ensure the

gains become operational. Achieving rights is in a sense a means to an end; removing embedded structural obstacles and achieving true reform of the political system requires critical refocusing and consistent organizing within women's rights movements. Indeed studies indicate that institutional reform often leads to the dissolution or modification of cultural and social obstacles, while the reverse does not necessarily hold true (Rule 1994).

Over the decades, increasingly refined strategies have been crafted to promote the participation of women in politics and public decision-making bodies. Context-appropriate strategies based on understanding the specific obstacles in a given socio-political environment are crucial to crafting effective campaigns to end women's exclusion from political decision-making structures. Though we have referred to three broad and overlapping zones that hinder women's access to formal politics – state gender ideology, cultural and social barriers, and institutional and structural obstacles – in this work we focus mostly on the latter, as this is where the discourse on gender quotas is most relevant. Institutional and structural obstacles are more easily addressed, mostly through legislation and policy, and can eventually help disarm or dissolve other obstacles, including socio-cultural biases and state ideology. Furthermore, context-specific cultural and religious obstacles do not necessarily lend themselves to strategies that can be adopted easily in multiple contexts. As activists and others concerned with political equality, we must critically examine lessons from the broadest spectrum possible in the struggle against women's political exclusion and be profoundly mindful of the key features of both successes and failures so that we can move towards gender equality in politics and elsewhere. It is to this effort that this work is devoted, in the hope that it will support the organized struggle against discrimination by women fighting to have their voices and the voices of their daughters heard.

## Organization of the Book

While political participation encompasses many activities which directly and indirectly influence politics, in this book we focus exclusively on three aspects of political participation – voting, running for political office, and holding political office – with emphasis placed on women's representation in national parliaments. We deal primarily with women's participation in *formal* politics, while acknowledging the significance of women's historical involvement in *informal* politics, including many grassroots organizing and

campaigning initiatives.[15] Thus, nations that do not hold regular elections are not addressed by this work, though it is important to recognize that there is a great deal of political participation by women in such societies, through organized movements or individual dissident activities that support democratization and reform.

As noted earlier, institutional and structural barriers are the greatest obstacles to women's access to formal political involvement, and at the same time lend themselves more easily to reform. Women's organizations have thus often focused on such barriers, particularly with regard to reforming electoral laws, and political party structures and practices. Chapter two thus outlines some of the debates and strategies of women's movements in different types of electoral systems in different democracies, and their impact on women's political representation.

In this work we have defined *democracy* as an inclusive form of political participation through regular and fair elections, in which no major (adult) group is excluded (Paxton 2000, p. 93). Chapter two defines and discusses the differences between the three broad types of electoral systems: proportional representation (PR), majoritarian/plurality, and mixed. Not only will each of these electoral systems be defined in detail in the following chapter, but also each system, along with their variations, will be further explained in the case study chapters. Academic research concerning women's access to politics has increasingly focused on the type of electoral system in place, as this determines how the public's votes are represented by seats in the parliament. Data from around the world strongly suggests that some electoral systems can be more women-friendly than others, depending on the competitive atmosphere they engender between political parties and between candidates (Larserud and Taphorn 2007a; International IDEA and Stockholm University 2010). Overall, much of the research suggests that proportional representation systems are more likely to support women's access to the formal political arena; however, even the most women-friendly electoral systems have not resulted in gender balance at the parliamentary level. In fact, Rwanda has been the only country in the world to achieve gender equality in its national parliament, in 2003. Historically, overall male

15. Instances of participation in *informal* politics include, for example, involvement in local or national civil society activities, organizing or campaigning to pressure governments on social issue, and participating in awareness-raising activities. Participating in rallies, establishing NGOs or associations to work collectively for a common goal, or promoting educational facilities all influence politics as they impact social structure and human life.

dominance of the political sphere has given rise to institutional obstacles that inherently discriminate against women.

Chapter three introduces our central topic: gender quotas, a measure advocated by many feminist researchers as a strategy to address women's underrepresentation. Gender quotas are measures that set a minimum percentage of political seats or candidacies for either sex in order to increase women's representation in national legislatures. The success of a quota system is evaluated according to the *popular election* of female representatives at national level assemblies and women's political empowerment for future elections. Thus we limit our scope of analysis to national level rather than local elections, due to the available statistical data on percentages of women participating in politics at the national level and their presence in national legislatures. Aside from the lack of data at local and provincial levels, many countries have yet to establish electoral processes for local and provincial bodies.

Chapter three also outlines the history of political quotas, describes the international perspective and reactions to such quotas over recent decades, and provides an overview of the debates around gender quotas as a strategy for addressing women's underrepresentation. Different types of gender quotas, namely voluntary party quotas, legislative quotas, and reserved seats quotas, are explained and analyzed in terms of their particular advantages and disadvantages – particularly in terms of how they fit the given electoral system, how clearly they specify the quota rule to be applied and what sanctions they specify in cases of non-compliance. We also examine who the true advocates of quota adoption have been, as well as their intentions, in order to try and ascertain what makes the implementation of a quota system successful and what the real impact of gender quotas is on female representation.

Chapters four, five and six respectively present case studies from countries illustrating one of the three types of gender quotas. In order to best illustrate the complexity of quotas and their implementation mechanisms, we introduce both successful cases (where gender quotas resulted in higher numbers of female parliamentarians), as well as unsuccessful cases (where gender quota measures did not result in a **significant** rise in women parliamentarians). Our research clearly shows that no matter what the type of quota system, we must also look at how their adoption and implementation has come about, since top-down imposition of quotas may lack the

sincerity to truly address female participation compared with bottom-up efforts demanded and organized by women's movements. Each chapter looks at various features that have contributed to the successful or unsuccessful implementation of gender quotas, so that activists and researchers may better understand where and when quota systems can benefit women.

Chapter four presents *voluntary party quotas*, which are the most widespread type of quota worldwide. Such quotas are *voluntary* measures adopted by political parties without any legal enforcement, to increase the chances of women's nomination, and thus their election, to national parliament. These types of quotas are often applied to party lists, which are lists of candidates presented to the electorate ahead of elections, in which a certain percentage of the party candidates are women. Such quotas thus target potential candidates hoping to run for parliament, rather than the final make-up of the parliament at the end of the election. These types of quotas are most applicable to proportional representation (PR) electoral systems, in which the parties are the main competitors. The case studies in this chapter include Sweden and England. Sweden is an example of a successful case of voluntary party quota adoption which aligned well with the state's electoral system, while in England the Labour Party chose a type of quota that encountered legal opposition from male party members and was incompatible with the state's majoritarian electoral system.

This chapter also discusses Finland, which has achieved very high percentages of female representation without ever adopting any type of gender quota for parliamentary elections. We conclude this is due primarily to the continuous efforts of the Finnish women's movement regarding all aspects of society. Additionally, Finnish women won the right to vote at the same time as their male counterparts, unlike women in other early democracies, and this has certainly played a role in the egalitarian trajectory of Finnish society, enabling women to be part of the political scene from early on. Women currently make up 40 percent of Finnish parliamentarians, and although this is still short of 50 percent female representation (also referred to as **descriptive representation**), they have achieved women's **substantive representation**[16] in that women's interests are well reflected in the state's many women-friendly laws and maternal welfare systems (Celis and Childs 2008).

16. According to Pitkin (1972), substantive representation refers to "acting in the interest of the represented, in a manner responsive to them". (p. 209)

Chapter five looks at legislative quotas, which differ from voluntary party quotas in that they legally require political parties to adopt gender quotas in their list of candidates. Legislative quotas are adopted by national parliaments either through constitutional reform or changes in electoral laws that require all parties to nominate a certain proportion of female candidates. Because they are legally mandated, legislative quotas are considered more powerful than voluntary party quotas. However, as this chapter discusses, in practice they are not always more forceful since they do not always enjoy the commitment of party leaders. As well, such quotas must be supported by effective sanctions and penalties for non-compliance, otherwise they are ineffective. The case studies included in this chapter are Argentina, France, and Indonesia. While Argentina and France both adopted legislative quotas around the same time, and when each country had a similar number of female parliamentarians, today Argentina has more than 38 percent female representation, while France lags far behind with less than 19 percent as of 2010.

Argentina's success has been credited to a viable women's movement that successfully politicized the issue of female political representation and allied with other political forces. When the initial quotas adopted were weak in enhancing the number of women in parliament, Argentinean quota advocates pushed for reforms that ensured parties nominated women for the seats that *they expected to win,* and not just to any seats across the nation. This reform ensured that the nomination of women candidates was not merely symbolic whereby the actual number of female representatives did not increase. On the other hand, quotas in both France and Indonesia have been unsuccessful for various reasons. In France, the so-called parity law politicized the issue of women's political representation, but was not a good fit with the majoritarian[17] electoral system, and was weak in its wording and sanctions for non-compliance. Thus the major French parties were not sufficiently pressured to comply with the legal mandate to field successful

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17. France uses the Two-Round System (TRS) electoral system, in which voters vote for a single candidate among several, and the candidate that receives an absolute majority (or 50%+1) of the vote in the first round of elections enters the parliament. However, if no candidate receives more than 50% of the vote, a run-off election is held between the two candidates with the most votes. Therefore, TRS as used in France ensures that the candidate elected has the support of the majority of the electorate, hence referred to as a *majoritarian electoral system*. A rare variation of TRS results in plurality voting, in that more than two candidates compete in the second round of elections, and the candidate that simply receives the most votes (simple majority as opposed to absolute majority) is elected.

women candidates. Indonesians lobbied for a law similar to the one in Argentina whereby female candidates would run in winnable ridings (for winnable seats); however, male political leaders who objected succeeded in getting the constitutional court to declare such a law unconstitutional. This has weakened the present legislative quota for women in Indonesia.

Chapter six discusses reserved seats quotas, with brief case studies of Rwanda and Bangladesh. Reserved seats refer to setting aside a percentage of parliamentary seats for women. This type of quota only applies to the final make-up of the parliament rather than the candidacy level. These quotas are legally mandated, generally in the national constitution, but differ from legislative quotas in that they are meant to *guarantee* a minimum level of women in the parliament *after* elections, though in rare cases states fail to fill the seats reserved for women. States can adopt these quotas in different ways. Rwanda, the only country in the world that has ever reached gender parity in the national parliament, did so through the adoption of reserved seats quotas for women.

Chapter six briefly describes the process of quota adoption in Rwanda and the main features that contributed to its success. It argues that the Rwandan women's movement played a key role in ensuring that the new constitution acknowledged the importance of women's political representation, lobbying for a women-only council to choose the female representatives for these seats in an effort to ensure that they would remain accountable to female constituents. In this regard, the women's council that elects female parliamentarians is an institutional structure meant to ensure the voices of a previously silenced and marginalized group, in this case, Rwandan women. Such institutional reforms as well as Rwanda's reserved seats are measures towards women's empowerment that ultimately create a more democratic state. The reserved seats quotas in Rwanda were a result of vigilant and informed activism on the part of the women's movement, as we will explain in the chapter, along with very carefully worded constitutional provisions.

Conversely, reserved seats in Bangladesh have not been very successful. Among the main reasons is that such quotas are not a good fit with the country's majoritarian electoral system, whereby extreme party competition discourage parties from nominating many women candidates, who are considered too risky despite reserved seats being allocated to each party in proportion to its share of the vote. While 45 out of 345 parliamentary seats are reserved for women, the quota was intended to result in much more than

this minimum. Currently only 64 women serve in the Bangladeshi parliament. Nevertheless Bangladesh's quota system is fairly new as it was reenacted in 2004 after having been expired, and there is potential for growth and reform, especially in light of the grassroots activism of Bangladeshi women's groups.

Therefore, it is this book's intention to provide an introductory analysis of the significance of women's political representation, the adoption of gender quotas, and the experiences and lessons learned from various states that have experimented with such measures. It is our aim that women's rights activists and political participants will find such information useful towards their efforts to address women's political underrepresentation, a reality that is widespread everywhere and increasingly demands policy attention and action.

# Chapter 2

## Electoral Systems and their Impact on Women's Representation

**Political Parties**

**Key Elements of Electoral Systems**

**The Three Dominant Electoral Systems**

*Proportional Representation (PR)*

*Majoritarian/ Plurality Systems*

*Mixed Systems*

**Proportional Representation (PR)**

*List Proportional Representation (List PR)*

*Single Transferable Vote System (STV)*

**Majoritarian/ Plurality Systems**

*First Past the Post (FPTP)*

*Block Vote (BV)*

*Party Block Vote (PBV)*

*Alternative Vote (AV)*

*Two-Round System (TRS)*

**Mixed Systems**

*Parallel System*

**Conclusion**

# Electoral Systems and their Impact on Women's Representation

In formal democracies, people elect representatives who best reflect their ideals and purport to defend their interests. A state's **electoral system** determines how often elections may be held, who is eligible to vote, who is eligible to run for office, as well as the structure of the ballots and how votes are translated into seats won by candidates or political parties. In short, electoral systems are the means by which the idea of a democratic system is operationalized. Cross-national research has identified electoral systems as the most important influence on the recruitment of women candidates for legislatures (Paxton, Kunovich, and Hughes 2007, p. 269). Thus, understanding a given electoral system is of utmost importance for those interested in bringing gender parity to the political system.

The degree to which an electoral system is perceived as truly representing the views of the electorate and as translating votes into government policies and legislation reflecting the wishes of the majority greatly influences the degree of public support for the democratic system itself. If the public perceives that policy, government programs and legislation do not in fact represent its choices following an election, voter-turnout, support for the government, and respect for elected representatives and politicians declines (O'Neal 1993). Thus, a fair electoral system that fulfills the expectations of the public is important for the maintenance of democracy and political stability.

Different types of electoral systems allow for different degrees of direct representation; some allow citizens more of a voice than others. Reform of a given political system is difficult, but in some cases may be instrumental to increasing true democratic representation. This is because the particular electoral system in place is the most important factor influencing the development/existence of political organizations, the party system, and the ways in which citizens may engage in political activities. In fact the type of electoral system adopted by a state impacts a wide range of elements that make up the political character of that society, including for example whether emphasis is on regional or national concerns, how political parties operate, and who may stand as a candidate.

For example in some electoral systems the nation is treated as one united entity, and representatives do not necessarily represent a particular riding or district; other systems divide the country into political districts and elected members of parliament represent the interests of their particular ridings within a national framework. These two systems represent very different characteristics of democracy, and civil society strategies for bringing concerns to parliament will differ greatly from one system to the next. As well, in countries that function with a majoritarian electoral system – that is where winning an election is based on 50% + 1 of the votes – a two-party system tends to dominate the political scene, with little chance for smaller parties or independent candidates (those not allied with any party) to successfully compete and break in to the political structure. This is evident in the United Kingdom, Canada, and the United States where smaller parties have not managed to break into the political system except through alliance with larger parties. In practice such systems limit the options of voters whose views do not align with either dominant political party to influence the decision-making process. On the other hand, electoral systems based on proportional representation – whereby parties win parliamentary seats relative to the percentage of votes they received - tend to encourage multi-party systems, in which members from multiple parties are commonly elected to the parliament. However it is also true that representatives may feel more accountable to their respective political parties than to their constituencies. The majority of European and Nordic countries is multi-partied, and functions under the proportional representation system, including Sweden, Italy, and Austria.

The complexities of electoral systems vary, and each system has implications for women's political representation. Here we will examine the three most common democratic systems currently operating in the world and their respective influence on women's representation. Although there is variation within a given type of system from country to country, a review of the general characteristics of each will help to identify why and how each systems supports or obstructs the degree to which women are able to access the formal political structure, and will allow us to examine the experiences and strategies of women activists in different countries working for change. This chapter also outlines the debates around current quota systems as they relate to particular electoral systems, along with suggestions of a best-fit approach.

Along with the given electoral system, other elements play a role in a state's democratic practices. Political parties, the primary political bodies in most countries, campaign for votes on the basis of platforms of action, national policy proposals, and effective candidates who will best represent the nation. Aside from the role that party politics plays in operationalizing an electoral system, three other key elements that shape an electoral systems are: 1) *district magnitude*, or how many representatives from each district are elected; 2) the formula for how seats are allocated; and 3) the ballot structure, which determines what a ballot looks like and *how* voters vote for a party or candidate (Larserud and Taphorn 2007a, p. 5). All of these elements directly impact the successful implementation of a quota system to improve women's political representation. For instance, the way a ballot is structured is critically important, since candidates who appear at the top of a party list have a higher chance of getting elected than those – often including women candidates – ranked lower by the party. Below we touch on each of these elements of electoral systems, and their impact on the election of women, before we resume our discussion on various electoral systems and explore them in more detail concerning women's political representation.

## Political Parties

Some early proponents of democracy envisioned a non-partisan parliament where election resulted solely from merit, and the legislature was a non-partisan institution functioning to represent the true needs of the public rather than representing any organized institution or ideological platform. However, except for the first few US Congresses under the first president of the United States, George Washington (1789 to 1797), this system has never been implemented.[1] In the case of the United States voluntary networks linked by ideals soon evolved into organized political parties. Within most current democracies political parties are the key players in galvanizing public participation in electoral politics. Political parties generally articulate and advocate a particular ideology, policies and platforms of actions for running the state, promoting what they view as the priority issues of the nation. Party

1. This is true even for countries where political parties are outlawed, since politicians often form factions that act as de facto political parties. Such factions work in a similar fashion to parties in that they organize and group the electorate for political support; however they do not have an official party platform and in most cases are not under any obligation to be transparent or accountable to the public (Moslem 2002).

members work to gain the support of the electorate and if elected work to influence the laws and policies of the country.

Political parties aim to influence politics *directly* by promoting some of their most influential supporters or members to political decision-making positions, and *indirectly* by appealing to the public for support, such as by engaging in public awareness-raising activities or campaigning on various issues and reforms. To be successful in acquiring public support as well as attaining and maintaining political power within the government, parties have to clarify their mandates and goals in the form of a party platform, and then participate in electoral campaigns, educational outreach or protest actions. In this regard, parties are important in democratic regimes as they provide a channel through which ideas are discussed in the public sphere and then brought to the governmental level. Often as the number of political parties increase, the political system is considered to be more democratic as it allows more diverse political positions to be represented.

However, research on institutionalized parties indicates that their nominees are often powerful individuals and/or members of the elite; nominations are thus not necessarily merit and/or platform commitment-based (Ballington 2004). One of the reasons for women's underrepresentation in party politics, particularly in high ranking positions, is due to class/power-based discrimination; such practices impede women's (and often minorities') access to powerful positions, prioritizing the rise of elite males to power within party structures (Kittilson 2006).

Thus, political parties can be both instrumental in political democratization through their manifestation of diverse views, and at the same time can stifle the voices of certain groups, in particular women and minorities, who are often considered potentially risky choices for higher positions by their parties. Candidates considered "safe" nominees for leading positions are generally well-connected, male, middle-class individuals. Since a party's main goal is to achieve power and win seats, potentially "risky" candidates are often over looked regardless of merit. This rationale is often a convenient way for male leaders to justify their hold on power through the exclusion of women. However, history has shown that in fact the public has often chosen to elect women and individuals from minority groups who are put forth as candidates, as is illustrated by the various female presidents and prime ministers that have come to power, despite party reluctance to nominate them in the first place.

One example of this is Eva Peron of Argentina, whose popularity surprised the Peronist party, matching if not exceeding that of her husband, Argentinean president Juan Peron. In the mid-1900s, at a time when women in Argentina did not even have the right to vote, the First Lady began addressing the public and advocating for female suffrage, which was achieved in 1947. In the first elections following female suffrage, in 1951, Juan Peron ran for re-election and a crowd of more than 2 million mostly working-class people gathered in front of the presidential office calling for Madame Peron to run for Vice president, chanting "Evita, Vice-Presidente!" and then "Ahora, Evita, ahora!" ("Now, Evita, now!"). Clearly there can be a significant gap between the practices of political elites and the readiness of the public to elect a female politician, as this incident illustrates. But such incongruities are gradually changing across the world as increasing numbers of minorities are able to access key political decision-making positions, due to political activism, lobbying, and the implementation of quotas.[2]

To reiterate, while political parties can potentially collaborate with civil society, they can also operate in such a manner as to limit the representation of diverse views and interests. Larger and more established parties can and often do act as gatekeepers to exclude minorities or non-organized groups, mostly through the process of nominating particular members for specific political positions. The bottom line is that the people who run for office in any election are candidates by virtue of being selected to run by their party. This selection process has not generally been favorable to women party members. Proponents of gender parity in political systems need to have a clear understanding of party structures and operations in order to target party reform and see how parties can be made more receptive to women candidates.

2. Benazir Bhutto of Pakistan and Indira Gandhi of India are other examples (amongst many) of elected female political leaders in patriarchal societies where male colleagues deemed their chances of success unlikely. Benazir Bhutto, a prominent opponent of the military dictatorship of Zia ul-Haq, replaced the dictator in 1988, becoming Pakistan's Prime Minister through a democratic election. She was elected to office twice, even though two of her brothers were also potential candidates as members of the Pakistan People's Party (PPP), founded by their father. Indira Gandhi also came to power in a popular election, in one of the world's largest democracies. As the world's longest serving prime minister she gained her political experience in various leadership positions, including as President of the Indian National Congress prior to becoming Prime Minister in 1966. Although in an attempt to belittle these developments some commentators indicate that these women were well connected and were members of elite families; it is important to keep in mind that most elected leaders do come from elite and strong political networks, regardless of them being male or females. The public, even in such overtly patriarchal societies, is willing to vote for female candidates, and for multiple terms, if given the chance.

## Key Elements of Electoral Systems

As mentioned earlier, **district magnitude**, which refers to the number of seats up for election in a given district, is significant in that it directly affects the strategies that parties and candidates adopt in an election. District magnitude directly impacts the chances that may be afforded to women to be nominated as candidates. Single-member districts are represented by one parliamentarian, whereas multi-member districts are represented by more than one parliamentarian – which is to say they have a higher magnitude than single-member districts. Scholars argue that women have higher rates of nomination and election in multi-member districts (Rule and Zimmerman 1994). In other words, when parties can nominate more than one person, they are more likely to nominate a balanced slate in terms of sex. In fact, in contexts where gender equality has more currency, inclusion of a woman may be a party strategy to attract more votes. Conversely, research suggests that in single-member districts, parties tend to nominate male candidates due to assumptions of electoral liability of women candidates as discussed above. Also, male incumbents – MPs wanting to run for re-election – are often privileged over new female candidates, especially in single-member districts, where it is unlikely for a party to nominate a female candidate to run against a male incumbent. The higher the district magnitude, the more candidates fielded by each party for the district, the greater the likelihood that women may be put forward as candidates for attractive positions (Larserud and Taphorn 2007b, p. 38).[3]

Related to district magnitude is party magnitude. This simply means that smaller, weaker parties may not be able to run candidates for all the available seats, while bigger, stronger parties have a better chance of winning more of the seats up for election in a given district and are thus less reluctant to field women candidates. Smaller parties that expect to win only a few seats tend to nominate leaders and high ranking party members, typically men, since women are considered risky candidates who may cost them even those few votes.

3. Both the media and political parties have encouraged the notion that the public will not support women candidates, by emphasizing the belief that people do not vote for women as they fear that their vote will be 'wasted.' This belief in the non-electability of women is thus self-fulfilling, as parties therefore do not nominate women. Research suggests that this is somewhat less true in multi-member districts, where voters seem to feel there is less risk of their votes going to a losing candidate, since multiple candidates are competing rather than one.

The **formula used to allocate parliamentary seats**, and the **ballot structure**, which defines how voters can express their choice, are the other elements of concern to us in the discussion of influences on women's access to formal politics in democratic systems. Modern electoral systems use various formulas to allocate seats to parties; one is the simple-majority formula (used in so-called majoritarian systems) whereby the candidate who receives 50%+1 of votes (an absolutely majority) wins a parliamentary seat. A more complex formula is one that establishes a quota of votes per seat, whereby for example the candidate that receives 35% of total votes allocated for that seat is directly elected to parliament, while a second round of elections is held between the remaining candidates until all of the seats in that district are filled.

Finally, the **ballot structure** defines how voters can express their choice. The way the ballot is structured shapes the level of choice given to the electorate and the degree of information provided to enable an informed vote. Different types of ballots are associated with the various types of electoral systems. While some electoral systems require voters to vote for parties (and not individual candidates from within parties), others require voters to vote for individual candidates within parties. Thus, voters may be presented with a ballot that requires them to merely vote for a party with no choice on individual candidates, or one that allows them to vote for one or more individual candidates across parties. For instance, in the majoritarian system used for elections in the United States, voters choose one candidate from the few presented to them on the ballot (these candidates may be either a party nominee or an independent), while in Indonesia, since 2008 voters have the choice of either voting for a party, or for an individual candidate within a party list, or for both. Although voters are encouraged to vote for individual candidates rather than parties, the freedom to vote for a party instead allows less educated voters, who are often less familiar with individual candidates and more familiar with party platforms, to also express their wishes.

As is now clear, electoral systems comprise various elements and structures, all of which influence the degree of access women have to political representation. Gender quota advocates must pay close attention to these variable elements in order to achieve a "best-fit" quota system that works with a given electoral system and addresses the features that hinder women's political representation. For example, in France, where the candidate with the absolute majority of the votes (50%+1) wins a seat, it is not effective to

adopt a gender quota system that applies to party lists (or tickets), requiring half the candidates on a party's lists to be female, since in France's majoritarian system voters elect individuals rather than a party ticket. Unfortunately in France the women candidates put forth by their parties under the quota system were for districts that their parties considered unwinnable, as party leaders felt otherwise they risked losing seats. This does not at all serve the objective of gender quotas, which is to increase levels of female representation. We discuss and analyze the French quota situation and surrounding debates in chapter five.

## The Three Dominant Electoral Systems

Having discussed the three main elements of electoral systems – the district magnitude, seat allocation formula, and ballot structure – it is now time to further discuss the three dominant electoral systems and some of their variations. As noted in the introduction to this chapter, electoral systems are broadly divided into three types, adopted either wholly or in some combination by contemporary representative democracies. Each of these variations has different implications for the political representation of women and other marginalized constituencies. These basic systems are:

***Proportional Representation (PR):*** This system generally applies to multi-member districts represented by more than one Member of Parliament. In this system citizens often vote for political parties rather than individual candidates. Following an election, parties receive seats in proportion to the overall share of votes they obtained – for example a party that receives 20 percent of the vote in a given riding/district is allocated 20 percent of the parliamentary seats for that riding or district, and so on. Thus more than one party may have members of parliament elected in a given riding, with the party with the most votes holding most of the seats for that riding. Generally in these types of systems the party with the largest percentage of seats forms the government. Countries that use this system include Sweden, Argentina, and Indonesia.

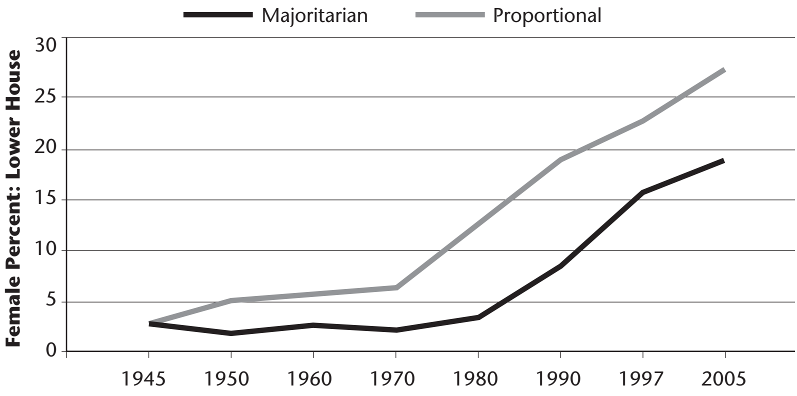
***Majoritarian/Plurality Systems:*** These systems mostly apply to single-member districts (SMD), which elect only one representative per district and where the candidate with the most votes wins the parliamentary seat for that district. This parliamentary system often leads to large numbers of citizens feeling that their views are not represented in parliament. Research from various countries (see Graph 2.1 on page 32) indicates that this system gives

less opportunity for women to run as candidates since parties tend to put forward well-connected middle and upper-class male candidates to maximize the perceived odds of winning the seat. Countries that use this system include the United States, the United Kingdom, and India.

***Mixed System:*** This is a system which mixes the features of both proportional representation and majoritarian/plurality systems. For instance, this could include allotting half of the parliamentary seats to be filled using the proportional representation system, while the other half is filled using the majoritarian/plurality system. Some of the countries that use mixed systems are Germany, Mexico, and Philippines.

It is important to keep in mind that within each of these three basic systems there are variations. As stated earlier, each system – proportional representation, majoritarian/plurality, and mixed – has implications for women's political representation. A more detailed discussion presented below of their general characteristics will help to identify why and how each systems supports or obstructs the degree to which women are able to access the formal political structure.

Graph 2.1 Percentage of Women in Parliament: Majoritarian vs. PR Electoral Systems




*Source:* Reproduced from Matland, Richard. "Enhancing Women's Political Participation: Legislative Recruitment and Electoral Systems" in *Women in Parliament: Beyond Numbers* © International Institute for Democracy and Electoral Assistance 2005: p. 102.

## Proportional Representation (PR)

Under the proportional representation (PR) system, each party presents a list of candidates for a multi-member district to the electorate (though there may also be non-aligned independents running for seats). Within the most common form of PR, seats are allotted to each party relative to the percentage of the total votes that they receive. The principle is that the parliament will accurately reflect the choices and preferences of the electorate – in other words, mirror the various groups, interests, and demands of the citizenry.

This system is considered to be the most favorable to women's representation in parliaments (Paxton, Kunovich, and Hughes 2007; Rule and Zimmerman 1994; Larserud and Taphorn 2007b), because the associated electoral elements (namely, district and party magnitudes, the formula used in allocation of seats, and the ballot structure) are more responsive to increasing women's access to political participation. For instance, district magnitude is largest in PR systems, increasing women's chances for nomination as they are less likely to be considered "risky" candidates by their parties. Perhaps more significantly, in this system parties are more likely to include gender-balanced lists of candidates as a strategy to appeal to women (who make up at least 50% of the electorate). Since PR means that parties run more than one representative per riding, they can "afford" to include women candidates.

Often, in response to increased activism on the part of more marginalized social groups, a political party will attempt to appeal to a wider spectrum of voters than a competing party by nominating candidates whose profiles accord with the gender, class, or ethnicity of a particular constituency. For example, in the 1970s in Norway and the 1980s in Germany, Green and Leftist parties voluntarily adopted gender quotas. The parties' successes in elections encouraged the more main-stream and conservative parties to adopt similar policies in order not to lose votes. Therefore, by the mid 1980s, party quotas became increasingly common in these two states as a strategy to attract women's votes (Phillips 1998a).[4]

4. For instance, for the 1986 elections, the German Green Party decided to alternate women and men on its party lists. Adoption of this quota forced larger and more conservative parties to also follow suit out of fear of losing votes to a weaker and smaller party. Hence, the German Christian Democrats as well as German Social Democrats both adopted quotas for women on their party lists (Phillips 1998a).

Within the PR system, voters are not forced to choose "either/or", as they do in a single-member constituency, but can vote for multiple representatives, which decreases competition between female and male candidates. Statistically the adoption of the PR system correlates with a relatively high proportion of women in the legislatures of Scandinavian countries and the Netherlands, while its termination in France in 1958 may have contributed to the decline in women's representation in the French National Assembly (Randall 1982, p. 98). In fact, political scientists point to France as an illustration of the impact of a proportional representation system on women's representation. The level of elected women parliamentarians in France dropped from 5.7 to 1.5 percent when in 1958 the electoral system changed from a PR system to a majoritarian system. Scholars agree that the modification of the electoral system was among the main factors that led to this drop, as parties were unwilling to nominate many women under the majoritarian system (Allwood and Wadia 2000, p. 146).

Aside from higher district and party magnitudes, both of which enhance women's representation, the PR system can also easily incorporate a gender quota into its structure. The two basic types of PR system are: List proportional representation (List PR) and single transferable vote (STV) systems (O'Neal 1993), both of which are discussed here.

***List Proportional Representation (List PR):*** Under proportional representation systems political parties present the electorate with either **closed** or **open** lists, and each has significant implications for the election of women. In closed party lists, political parties rank candidates, without input from the electorate. In this system, depending on the proportion of the votes received for the entire party in a given district, seats are allocated from the top of the list, moving towards the bottom. If for example a party receives 25 percent of the votes in a district, the highest ranked 25 percent of its candidates for that district get elected to the parliament.

A major criticism of this system is that too much power lies in the hands of the political parties, which determine the ranking order and thus the order in which candidates' names appear on the list. The candidates named at the top of the list, usually male, have better chances of acquiring seats – in a sense restricting voters' choice and rendering the ballot less meaningful. However, closed lists can be argued to be more woman-friendly than open lists if parties abide by a gender quota in addition to a rank order rule, such as the provision that was temporarily adopted in Indonesia. In this case,

parties are required to field a minimum number of female candidates, and to place them in winnable positions; this way a set number of women are guaranteed seats in the legislature. We discuss these processes further in the next chapter.

**Open party lists** or "free lists" are generally considered to be more democratic than closed lists since they allow individual voters to choose a specific candidate regardless of his or her party ranking. With open lists individual candidates receiving the highest percentage of votes in proportion to the total party vote in a given district are granted seats (O'Neal 1993). Depending on the specific allocation formula, voters cast ballots for candidates only, or for both a party and a candidate by voting twice. For instance, if a party receives 25 percent of the total vote in a district, 25 percent of the candidates that received the highest preferential votes will be elected. It is argued that under this system, elected representatives are more accountable to constituents, who directly select individual parliamentarians.[5]

***Single Transferable Vote System (STV):*** The second type of PR system, or the single transferable vote system, emphasizes voting for the individual candidate rather than the party (although a party-list option is possible). Similar to open party lists, this system also grants voters freedom of choice in electing individual candidates, rather than entire parties, by enabling them to rank candidates according to their preference. Thus, if in a multi-member district five candidates are running for a total of three seats, voters are asked to vote for three candidates according to their preference. Once a vote threshold is set, those candidates who receive the threshold in the first round are declared elected and all excess votes are redistributed or transferred to other candidates according to the percentage of second choice that the voters marked. This process continues, until three candidates are elected (O'Neal 1993).

5. In addition to following a closed or open list system, most proportional representation democracies also decide on a minimum threshold of votes each party must attain to win a seat in parliament. For instance, in Germany each party must receive at least 5% of the vote, while in Israel it is 1%. Vote thresholds play a key role in determining the dominance of political parties in the legislature. Jurisdictions with low party thresholds allow multiple small parties to win seats, and result in coalition governments in which small fringe parties may exercise an influence out of proportion to the support they received during elections. On the other hand, too high a threshold leads to the monopolization of power in the hands of a few, and the silencing of minority voices (O'Neal 1993). Any party that receives at minimum the quota-specified amount of votes is eligible for seats. The dominant formula used for determining the quota is to divide the number of votes cast by the number of seats to be filled.

The significant aspect of single transferable vote system is that it encourages the electorate to vote for any candidate of their choice, with little fear of wasting their vote if they vote for a female candidate. *Wasted votes* are votes that were cast for the losing candidate (individual or party). A desirable electoral system is one that systematically reduces the amount of wasted votes mostly through incorporation of rules that enable the voters to choose a candidate that he or she truly desires. The higher the amount of wasted votes the more the electorate loses confidence in the democratic process, since their votes made no difference. Under this system, voters mostly vote for candidates rather than party lists, although a party-list option is available. Due to such emphasis on individual candidates rather than party lists, particularly closed party lists, those elected according to STV system tend to be more responsive to the electorate than the party, since voters have much control over who specifically gets elected.

This pattern of preferential voting can also send a message to parties and the state by providing better indication the electorate's likelihood to vote for a minority. Voters who might otherwise be reluctant to vote for women or minorities for fear they would not be elected in any case in this system are confident that in such an event their vote then goes to their second choice, then third choice, and so on. In other words, their preferences are ranked on their ballot and this information paints a picture of the views of the electorate. Women are thus more likely to get elected under an STV system. STV is most often used in districts with lower magnitudes (districts with less than four seats) due to the difficulty in ranking larger numbers of candidates. However, with the increasing use of computerized ballot counting this system is becoming increasingly viable and in many instances electoral reformers are advocating for STV so that the votes of women, minorities, and the citizenry will actually impact the final make up of parliament and better express their wishes (Rule 1994, p. 19).

In general, under proportional representation systems voter turnout tends to be higher as the electorate feels its votes are meaningful. PR also supports the formation of smaller parties alongside larger mainstream ones, which in turn supports representation of a wider spectrum of public opinion. Most importantly, in terms of the concern for gender representative political structures, PR has the potential to provide the greatest opportunities for legislative representation of women and minority groups. However, as suggested by a 1991 report of the Canadian Royal Commission on Electoral

Reform, even more important than PR for women's representation is the use of gender quotas within political parties. "In this respect, the behavior of political parties, especially in List PR systems, is crucial to women's ability to gain seats in elected assemblies," (O'Neal 1993). The Commission also re-affirmed findings that PR systems without gender quotas have similar or worse results for women's representation than non-PR systems. In fact, the most effective system for ensuring women's representation is the List PR system, with large district magnitudes that *also* incorporates a quota regulation; for example 30% of seats allocated to each party must go to women. Although some parties have voluntarily adopted such quotas, they can also be legislated by the state, whereby those parties that do not abide by quotas can be legally sanctioned (Larserud and Taphorn 2007b).

## Majoritarian/Plurality Systems

The second most common electoral system is the majoritarian/plurality system, which is often used for elections in single-member districts (SMD), with the exception of Bloc Vote (BV) which is used for multi-member districts. Under this system, the winning candidates must either receive an absolute majority vote, or a plurality of votes, depending on the country context (Rule 1994). An **absolute majority** vote refers to the number of votes that constitute more than half of the total of all members of a group (50% + 1 of the votes), while **plurality** (simple majority) refers to the highest number of votes received by the leading candidate in an election between three or more candidates. Since competition is between individual candidates rather than party lists, women are particularly disadvantaged within these systems. The primary limitations to women's access to politics is overarching male domination in the political arena, and political parties are less willing to support women's electoral campaigns when they have to nominate them against male contenders. These realities, plus the fact that women have less material and social capital and also face cultural and religious obstacles, mean that women are systematically disadvantaged in electoral competitions under this system.

There are various forms of majoritarian-plurality systems – each of which has bearing on the levels of democracy and women's representation. In the following section we discuss those types that have the most impact on women's representation, which is the primary concern of this work.

***First Past the Post (FPTP):*** The simplest majoritarian system is the First Past the Post (FPTP) system, used in single-member district elections where voters cast a ballot for one candidate among the several from different parties who may be competing, and the candidate with the highest number of votes is the winner. Canada, India and United States are examples of countries that use the FPTP system for their parliamentary elections. When more than two candidates compete in a FPTP election, the winner is not required to secure majority of the votes (simply the highest amount of votes is sufficient).

***Block Vote (BV):*** When the simplest marjoritarian system is used in multi-member districts, it becomes the Block Vote (BV), in which voters vote for as many individuals are there are seats to be filled. They may vote for individuals from different parties or may choose to vote for candidates from a single party. The winning candidates are those with the highest number of votes (plurality).

***Party Block Vote (PBV):*** The Block Vote system – with the modification that voters vote for party lists instead of individual candidates – is referred to as the Party Block Vote (PBV). The party with the most votes wins all the seats in the district, and its list of candidates is adopted accordingly. In these systems candidates with highest votes (plurality) will be elected (ACE Project 2008).

The majoritarian electoral system includes two other voting schemes. These are the **Alternative Vote (AV)** and the **Two-Round System (TRS)**, both of which intend to ensure an *absolute majority* for the winning candidate (50% +1 of total votes). Hence, voters vote for individuals rather than for political parties.

***Alternative Vote (AV):*** Under the Alternative Vote system, which applies to single-member districts, voters' *second preferences are utilized* to produce a winner with an absolute majority if one does not emerge from the first round of voting (ACE Project 2008). Hence, under this preferential voting system, if no candidate achieves an absolute majority of first preferences, the least successful candidates are eliminated and their votes reallocated according to their second preferences until one candidate has an absolute majority. Australia and Fiji use the Alternative Vote systems for their parliamentary elections, while the president of Ireland is also elected according to this system. In 2011, UK will hold a referendum to reform its electoral system from a FPTP system to the Alternative Vote.

***Two-Round System (TRS):*** Under the Two-Round System (TRS), voters cast their first ballot by choosing one candidate among several. If a candidate in the first round of elections receives an absolute majority (50% + 1 of the vote), he or she is directly elected to the parliament. However, if no candidate receives this percentage, a second election is held between the two candidates with the best showing (O'Neal 1993). A rare variation of TRS results in *plurality* voting, in that more than two candidates compete in the second round of elections, and the candidate that simply receives the most votes (simple majority as opposed to absolute majority) is elected. This system can be applied either to single or multi-member districts and is used by countries like Iran, France, Cuba, and Egypt for their parliamentary elections (ACE Project 2008).

Although the main advantages of these two majoritarian systems is that voters can better present their preferences through rankings or having a second chance at voting, which in turn enhances the level of democracy, the competitive nature of this system can negatively impact women's access to politics, due to the barriers they continue to face. As mentioned previously, these include institutional obstacles such as campaign financing and cultural obstacles including gender roles. Since majoritarian systems involve more competition between individuals than do proportional representation systems, women are disproportionately disadvantaged in such systems. Overall, while majoritarian/plurality systems are lauded for their simplicity and the governability of the specific geographic constituencies they engender, whereby elected candidates are accountable to those constituencies, women and minorities do face bigger challenges in gaining access to politics under these systems.

## Mixed Systems

The systems described thus far have various advantages and disadvantages in terms of women's access to formal political power, as well as in levels of democratic representation generally. For these reasons, some jurisdictions combine aspects of both proportional representation and majoritarian/plurality systems to achieve the benefits of both. In Germany, for instance, half of the seats of the Bundestag (the lower house of parliament) are filled through List PR, and the rest are filled by plurality, using single-member constituencies. Voters make two parallel marks on the ballots, one for the party list, and the other for the individual candidate (O'Neal 1993).

***Parallel System:*** This is the most common form of mixed systems. As in the German case, under the parallel system, two different elections are held in parallel but independent to each other; one according to PR system and the other according to majoritarian/plurality system. The sole purpose of parallel is to combine the benefits of the two dominant systems, and its results usually fall somewhere in between majoritarian/plurality and PR systems (ACE Project 2008). Mixed systems tend to enhance women's access to politics through the proportionally represented seats, though it can be argued that the majoritarian/plurality elections may negatively impact women's representation.

## Conclusion

In this chapter we examined several types of electoral systems in order to identify how each system hinders or facilitates women's success in national electoral politics. Women's underrepresentation in politics is the result of various institutional and cultural obstacles that disadvantage women relative to their male counterparts. Among the most fundamental of these are political parties and electoral systems that act as gatekeepers restricting female access, rather than as enablers of democratization. In order to identify the implicit and explicit ways these institutions disadvantage women's access to formal political power, feminists and women's rights activists are increasingly analyzing their nature and structure so that they can be reformed to enhance women's overall representation in politics. Research data indicate that proportional representation (PR) systems are more woman-friendly than majoritarian/plurality or mixed systems because parties are more likely to nominate female candidates, who are less likely to be seen as "risky", for reasons elaborated on earlier in the chapter. However, given that complete revision of a nation's electoral system is impractical and unlikely, researchers and policy developers concerned with female political representation have pushed for electoral reforms that help the shift toward gender balance in political institutions. In the following chapter we look at various gender quota systems developed to address some of the institutional obstacles facing women who wish to access political positions. We will analyze how quotas are designed to fit particular electoral systems, as well as their impact on women's levels of representation.

# Chapter 3

## Gender Quotas and Political Representation

# Gender Quotas and Political Representation

As stated in chapter one, representative democracy is based on the ideal of representing the majority of interests within political decision-making, in which at least theoretically *all* citizens are able to participate in politics with the state neither denying nor pandering to any particular group. However, as discussed earlier, historically this ideal has been compromised by the systematic exclusions of various groups, based on divisions of gender, race, class, and property ownership. Struggles to expand democracy have resulted in universal suffrage in most modern states, and feminists who fought for female suffrage had hoped that the historically masculine political arena would increasingly accommodate more women and other marginalized groups in political decision-making. However, for the most part privileged groups have simply devised more nuanced and sophisticated mechanisms to retain political control. This reality has engendered an increasingly refined and profound analysis and critique of the political system by many marginalized groups, including women. Such groups are demanding enhanced access to politics based on universalist ideals, which hold that all members of the society, regardless of gender, race or ethnicity, should be treated equally.

The feminist critique of democracy is therefore focused on the gap between what democracy theoretically advocates and the actual absence of *all* groups in the exercise of political control. In other words, feminists point to the fact that women are continuously underrepresented in decision-making positions and lack equal rights and opportunities to participate in formal politics alongside men. Their demands include reform of political systems to ensure women's representation and end the systemic discrimination faced by women attempting to access political positions. Feminists argue that the marginalization of women in politics actually weakens democracies as the voices of at least half of the population go unheard. Through constant activism, research, documentations, and writings, feminists have succeeded in popularizing their position to a

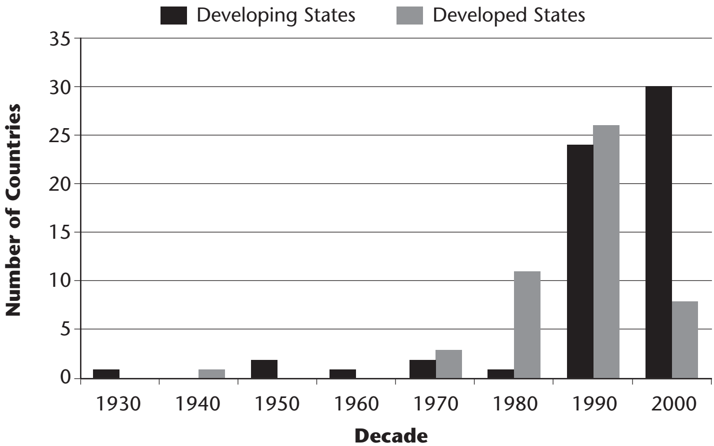
significant degree, both domestically and internationally. Today, women from various countries employ different strategies to increase women's political representation in key positions, including campaigns and lobbying efforts directed to their local communities, their governments, the media and the international community.

The demand for gender quotas, either in political parties or as part of state electoral systems, has been one of the more prominent of these strategies, and gender quotas have been increasingly adopted, particularly following the 1995 Fourth World Conference on Women in Beijing, where governments agreed to act to increase women's presence in political decision-making positions, setting a minimum target of 30 percent (Dahlerup 2006b, p. 5).

The history of electoral gender quotas dates back to the 1930s when India under British rule adopted quotas for local-level administrative bodies. The Government of India Act of 1935 set aside seats for women in the provincial and central legislatures, in addition to other quotas for minority groups from different castes. Early gender quota systems, led largely by Asian and African countries, generally took the form of reserved seats. Taiwan adopted reserved seats in the 1940s, Pakistan in the 1950s, and Ghana in the 1960s. The global trajectory has been as follows: between 1930 and 1980 only ten countries established quotas (including Bangladesh, Uganda, and Egypt, though Egypt later repealed its quota), followed by an additional 12 countries in the 1980s. In the 1990s gender quotas were established in more than 50 countries; since 2000 approximately 40 more countries have created quotas. Thus, out of the more than one hundred countries that have quotas, more than 75 percent adopted them during the last fifteen years. Interestingly, the majority of states that have adopted gender quotas in the past fifteen years are from developing or unindustrialized states (see Chart 3.1).

While the idea of political quotas is clearly not new, their recent implementation in many nations stems from a more sophisticated approach that considers their pros and cons and adapts the practice according to the particular socio-cultural-political context. As countries adopting gender quotas have succeeded in expanding the number of female representatives in electoral politics, this approach is increasingly supported by proponents of a gender balanced political arena, including women's movements around the world and groups concerned with human rights, development and peace processes.

Chart 3.1 Global trend of quota adoption




*Sources:* Constructed from data from Krook (2006, p. 312-313) and UNDP: Human Development Reports: 2010 Human Development Rankings http://hdr.undp.org/en/statistics/

## What are Gender Quotas?

A *gender quota* is a measure to counter the discrimination, created with the intention of recruiting enough women into political positions to ensure that they are not merely token actors in the political arena. This measure seeks to overcome the obstacles which have led to the underrepresentation of women in politics, as well as to increase the currently slow speed by which the number of women in politics is rising. While there are different types of gender quota systems, the most common ones are political party quotas, legislative quotas, and reserved seats (see Table 3.1). A given quota system will be more or less successful depending on the extent to which the type of gender quota adopted matches the state's electoral, political and social systems. Similar to other "affirmative action"[1] strategies, gender quotas are generally adopted as a temporary measure, with the ultimate objective of equal representation of both sexes in political office, also referred to as

1. Measures or policies enacted to benefit an underrepresented group, usually as a means to counter the effects of a history of discrimination. In this book we choose to refer to gender quota adoption as a "measure to counter discrimination," since the term "affirmative action" has been (wrongly) interpreted by some to mean "positive discrimination" and is thus controversial. The criticism stems from the argument that any form of "discrimination" is unjust, even if it is 'positive discrimination.'

Table 3.1 Types of gender quotas

| Political Party Quotas | Legislative Quotas | Reserved Seats |
|---|---|---|
| Party specific measures, usually adopted voluntarily, to increase the proportion of women among party candidates or elected representatives, mostly through setting a percentage, proportion, or numeric range for party lists. | National binding policies, embedded either in the national constitution or electoral laws, requiring all political parties to nominate a certain percentage or proportion of women among their candidates. Can be strengthened by sanctions for non-compliance. | A national policy that sets aside a certain number of seats in parliament for women. If not enough women are directly elected by the public or chosen by the party, they are then appointed, generally by the executive branch. |

*Sources:* Constructed from (Larserud and Taphorn 2007a, p. 8)(Krook 2007, p. 367)(Krook 2003, p. 4)

proportional representation[2] or 50-50 representation. As an initial step most states and institutions adopt a minimum 20 or 30 percent quota for either women candidates or politicians. Thirty percent, or roughly one-third of the total number of cabinet positions or seats of a legislative body is accepted as the "critical mass" of women needed to progress towards fair representation and to meaningfully address women's issues and concerns.

Gender quotas are meant to correct some of the obstacles that prevent women's equal access to politics, particularly systemic and institutional barriers, and to insure that minimum percentage of women and men are always present at the major electoral decision-making bodies.[3] While quotas can be adopted for different institutions across the three different governmental branches, this work however mostly focuses on legislative quotas for national assemblies, as these are the arenas where policy and decision-making take place that affect all of society and impact women and women's issues. Such quotas are either adopted by governments or political parties, and may be voluntary or legally mandated. It is important to keep in mind that whether the quota system applies to political parties, the legislature or is in the form

2. Proportional representation of women refers to having a total amount of female representatives in legislative bodies that is proportional to the total number of women in the society. Hence, since women constitute half of the population, a proportional representation entails that about 50 percent of total representatives must be women.

3. While initially feminist demands were specifically for women's quotas, it is now agreed that a minimum percentage of both sexes should be present at decision-making bodies in order to ensure a fairer political system. Therefore, in recent years we have witnessed a shift from feminist demands for women's quotas to gender *neutral* quotas.

of reserved seats – the results will vary depending on the extent to which the type of gender quota adopted matches the state's electoral, political and social systems. Thus, the same quota system may produce completely different results in two different countries or for two different parties, hence, the mere adoption of quotas has not resulted in uniform increases in the percentage of women in parliaments worldwide; while some countries have seen dramatic increases in female representation, some have witnessed only modest changes or even setbacks. For instance, while an electoral legislative quota of 30% successfully increased women's parliamentary representation in Argentina to an overall 40% in recent times, the same measure resulted in only 9% women's representation in Brazil, and 16.7% in Panama (Krook 2003, p. 4-5). These variations suggest that although specific quota provisions seem similar, they in fact entail distinct processes of political reform.

Despite the fact that quotas are generally instrumental in creating a platform for marginalized voices (in this case, women) they nonetheless have been controversial. Critics include not only members of conservative male elites, but also some feminists. A major argument against the adoption of quota systems is that representation should be based on merit. Another key concern is that in certain contexts, quotas have had little or no effect. Other criticism stems from instances whereby political parties or government leaders decide which women are selected as candidates for elections, leaving elected MPs more accountable to their political parties and/or leaders and less accountable to their female constituents. In this chapter we review the different types of quotas currently in use and the major debates for and against gender quotas. Clearly the success of gender quotas has much to do with how they fit with the structure of the envisaged democracy as expressed in the constitution of a particular society, the electoral system in place, the political will to give a voice to women, and an informed and vigilant civil society. Subsequent chapters examine the various usages of gender quotas in specific country cases.

## Political Party Quotas

Party quotas, the most common of the quota systems in use, were first invoked in the 1970s by a number of socialist and social democratic parties in Western Europe, followed by some green and even some conservative parties in the 1980s and 1990s across Europe and to a limited extent in other regions. Unlike other quota types, political party quotas are generally voluntarily adopted rather than legally mandated. They sometimes exist alongside other quota types, and tend to be the least controversial type of quota since they do not

involve any governmental or legal oversight. Such quotas commit political parties to aim for a certain proportion of women among their candidates, and usually apply to party lists presented to the electorate. The party's commitment to utilize a quota for female candidates often forces party elites to recognize existing biases and alter practices to enable enhanced female representation. Such quotas are often astute strategic moves which recognize that women do indeed form a large political constituency to be courted – an awareness which in fact is generally due to decades of lobbying by women's movements and women working within party structures. Political party quotas typically mandate that women constitute between 25 and 50 percent of the total candidates on a party list. Increasingly, women activists and political parties phrase their quota requirement as a "*gender neutral*" provision, in which they establish that *neither* sex can account for more than a stated percentage on the party list.[4] These measures are most easily implemented in List PR electoral systems, in which voters vote for parties instead of individuals and where seats are distributed to the parties in proportion to the overall votes that they receive. In countries with majoritarian/plurality systems, whereby voters vote for individual candidates rather than party lists, and the candidate with the highest votes wins, application of quotas is more complex but not impossible. For these systems quotas can be implemented by nominating a proportion of women across all single-member districts, or to the districts that the party expects to win, such as districts where a party member is retiring. However, since competition in the majoritarian system is between individuals rather than between party lists incorporating multiple candidates, in majoritarian systems parties can be less willing to nominate women candidates if there is concern that the prevailing public ethos might hesitate to elect women politicians. Examples of a few national parties that use political party quotas are Australia's Labor Party; Canada's New Democratic and Liberal Parties, and Kenya's Democratic Party.

## Legislative Quotas

Legislative quotas, which also apply to the candidate selection process by parties, differ from party quotas in that they are not voluntarily adopted but rather are legally mandated quotas that apply to all parties. This is the newest form of quota system, and only appeared in the 1990s, in developing

4. For instance, the Social Democratic Party of Germany (SPD) requires that each sex is represented by at least 40% on the candidate party list.

countries, particularly in Latin America, post-conflict Africa, the Middle East, and across Southeastern Europe. Adoption of these quotas spread rapidly in part due to an active transnational women's movement, which through information-sharing enabled local organizations, activists and intellectuals to publicize and politicize women's political underrepresentation. Such activities and an international emphasis on women's political presence led many women's organizations to successfully push for quota adoption in their countries. At the same time local organizations, in conjunction with the transnational women's movement, mobilized civil society to pressure international and bilateral agencies – such as the UN, the World Bank and other development agencies promoting human development – to explicitly address women's discrimination in politics as part of their development guidelines and aid packages.

Legislative quotas are enacted either through reform of electoral law or national constitutions. Similar to party quotas, legislative quotas also apply to the candidate selection process (often requiring women to constitute between 25 to 50 percent of all candidates), but as mentioned, have the force of the law behind them. The strength of a given legislative quota depends much on the wording and details of the specific law mandating it. If the law does not impose strong sanctions for non-compliance, many parties will not abide by its provisions (as was the case with many parties in France, detailed in chapter five, which ignored the minimum quota).

Legislative quotas are implemented in different ways depending on the electoral system, sometimes applying to party lists (the simpler way), or to a broader group of single-member districts (Krook 2009, p.9). For instance as in the case of Argentina, a legislative quota can simply be applied to all party lists, requiring all parties to nominate at least 30 percent female candidates. Conversely, a more challenging way is to apply the quota to single-member districts whereby each party must nominate female candidates in a certain percentage of electoral districts, as is done in France. Examples of countries that use legislative quotas are Brazil, Indonesia, and France.

## Reserved Seats

Reserved seats quotas differ from the other two types of quotas in that they mandate a minimum number or percentage of female *legislators*. Since this type of quota applies to the final result of an election, it tends to be the most controversial, and this has meant that reserved seats quotas have only

mandated low levels of female representation, usually between 1 to 10 percent of total legislators, although since 2000 a number of countries have legislated as much as 30 percent female elected representatives, as is the case for Rwanda. Reserved seats quotas are often established through reforms to national constitutions or electoral laws. The quota provision of these legal mandates mostly work in one of three ways: parties receive the reserved seats in proportion to the votes that they receive in the election (as in Bangladesh and Pakistan), or separate electoral lists are created for women (as in Rwanda), or women who receive the highest votes in the general direct elections per district are elected to the parliament to fill the reserved seats (as in Afghanistan and Jordan). Reserved seats are the oldest types of quotas, first used in the 1930s in India at the time of British rule (John 2000), and remained the main quota type adopted through the 1970s. Since 2000 this quota type has re-gained popularity in a number of countries – primarily in Africa – which otherwise have very low levels of female representation. The guarantee of advancing women's representation under this quota system has made it an ideal remedy for developing world countries aiming to rapidly address the dearth of women in politics. Reserved seats quotas are in use chiefly in Africa, Asia, and the Middle East, in part because political parties in these regions are less established.

## Arguments For and Against Quotas

There are a number of arguments made both in support of and against gender quotas. The most controversial aspect of gender quotas relates to notions of democracy and meritocracy; feminist groups and women's rights activists generally view quotas as a measure to counter discrimination and *enhance* democracy by expanding representation of formerly marginalized groups, while opposing groups believes that politicians should be elected based solely on *merit* (qualifications), without taking into consideration gender or marginalized constituencies. Ironically, the latter group also invokes democracy in defense of its views, arguing that quotas are undemocratic as they diminish choice for the electorate. This debate has a long history and it is important to note that feminists and proponents of women's rights are found in <u>both</u> camps, although their arguments may differ from those who work to uphold the status quo. Below is an outline of the most popular arguments used to support or oppose quota measures, drawn from scholars and activists from both camps.

### Arguments in Support of Quotas:[5]

- ***Quotas will ensure that both women and men will be part of political decision-making and will advance democracy by ending the exclusion of women.*** Such measures are necessary to counter the historical exclusion of women from the political system across major democracies. Even in the oldest democracies, such as the USA and France, it took a century of activism and mobilization to obtain formal rights for women and minorities. However, these rights did not eradicate systematic exclusionary practices by the prevailing male political structure from restricting women's access to formal politics, as even a cursory cross-national examination of national elections during the twentieth century makes clear.
- ***Quotas will force political parties to recruit and include more women in their leadership structure.*** Cross national research has documented the tendency of political parties – almost all of which are run by male political elites – to favor men based on the assumption that women are not electable (due to cultural or religious practices). This perpetuates stereotypes of women as apolitical and as unacceptable national representatives.[6] Party gender quotas will help to correct the patriarchal bias of most parties, and to pave the way for a more flourishing democracy.
- ***Women constitute half of the population – thus it is a democratic right for them to hold 50% of parliamentary seats to ensure women's voices are present in the decision-making processes.*** This argument has been advanced against the claim that if we make quotas for women, then we have to make quotas for other "social groups". However, women *are not* a separate social group; 50% of all natural social groups are made of women and thus quotas for women can represent all existing social categories. The abstract citizen in the prevailing patriarchal model of democracy was male; the model posited women as being more than adequately represented by their fathers and husbands. However, the interest of husbands and fathers do not always coincide with those of wives and daughters, as exemplified by discriminatory family laws

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5. For a more detailed discussion, see (Freidenvall, Dahlerup, and Skjeie 2006, p. 67-68; Dahlerup 1998; Dahlerup 2006a).
6. And conveniently ignoring the question of why, if women are inherently apolitical and inappropriate political actors the oldest of democracies took pains to explicitly exclude women from political structures, despite intense pressure from women involved in the French and American revolutions, as discussed in chapter one.

across the globe (Pateman 1988; Scott 1996a). This is similar to the commonly accepted argument that employers in the capitalist system cannot represent the interests of the workers. This argument is gaining strength as feminists emphasize the need for gender balance in politics.

- ***Quotas, in larger percentage, enable women to enter into political structures as a group, ensuring a critical mass and not just a few token representatives.*** Research has shown that when women are not present in parliaments in sufficient number, individual female MPs are more hesitant to raise women's issues (Celis and Childs 2008; Phillips 1991). This is in part because the culture of most parliamentary institutions belittles women's concerns – such as reforms to make family law more democratic or to enhance female employment opportunities – as such demands are often perceived to conflict with male interests. And when female MPs do raise these items, with only small minorities of women MPs, even the support of more liberal male counterparts will not be adequate to pass bills. Thus token women MPs feel discouraged from putting forward women's concerns. Clearly a critical mass is necessary in the legislature to effectively address issues of concern to at least half of any given constituency.
- ***Women's qualifications are always undervalued relative to their male counterparts.*** Systemic gender discrimination in political structures and institutions favor men over equally qualified women. It is a fallacy that there are not enough qualified women; rather women's qualifications are systematically downgraded. Furthermore, since male political elites have historically defined what constitutes "appropriate qualifications" the valuation of male experiences and qualifications over those of women has prevailed, thus emphasizing the key roles of citizens as defenders of the country (soldiering) and as "productive" labor within the formal economy. These conceptions ignore the crucial role of women in (re) producing society and their critical contributions in the daily management of households and communities, on which the survival of a society depends even more than on national defense and perhaps even economic markets. [7] Distorted assumptions that disadvantage women

7. These discrepancies in the way citizenship rights were constructed have been extensively discussed by political theorists such as Carol Pateman (1988) and Young (2000). Furthermore, even when women do enter the formal economy they rarely receive financial compensation equal to that of their equally qualified male counterparts in the same job (Narayan 1997).

have not profoundly changed in many cases. Thus women's years of care-giving and family-raising, community activism or dealing with government institutions and bureaucracies are *worse than* undervalued – such long-term experience is often considered to handicap women wanting to enter into formal politics. Yet it is precisely these everyday grassroots activities and the concerns of ordinary women which must be represented in parliament if the majority of citizens are to feel that politics is relevant to their lives and that they are truly part of a democratic society. Further, given that 50% of any nation's population is women, gender in itself must count as a major qualification for political representation, since the parliament of a democratic society should reflect its population. In these regards, quotas can be, and are, an important measure for making the political landscape more democratic.

- ***Quotas do not discriminate against men, but rather are an answer to the centuries of systemic discrimination against women.*** In rejection of the argument that quotas in practice constitute discrimination against men and undemocratically restrict the electorate's freedom to choose, proponents argue that quotas simply stipulate that neither sex should make up more than x percentage (often 40 percent) of a given political configuration (party, candidate list, percentage of seats in parliament, etc.) Quota proponents also argue that it is truly undemocratic to systematically marginalize women from the political sphere, first through disenfranchisement and now through limiting women's access to formal politics. From this perspective quotas are seen as a means to address deep-seated and anti-democratic discrimination. Many supporters of this argument do not see quotas as temporary measures but rather as a means to ensure that a minimum percentage of each gender constitutes the parliament of a given democratic society.
- ***It is good for the image of the party.*** Some studies have illustrated that female candidates can be appealing to the public (Antić Gaber 2005). Parties that nominate women may thus be favored by the electorate, who see such parties as more egalitarian and more justly oriented. Such trends have encouraged many parties, particularly in European states where party politics has a long history, to adopt quotas and nominate women, often as a strategic measure to gain votes. Thus, in some contexts the adoption of quotas can up the ante for all political parties, including conservative parties who are compelled to follow the lead of their more liberal counterparts in order to compete for votes.

### *Arguments Opposing Gender Quotas:*

- ***Unqualified women may displace qualified men since quotas violate the merit principle.*** One of most common criticisms of gender quotas is that they deprive citizens of the ability to choose from among the most qualified candidates. They argue that candidacy and election in a liberal democracy should be based solely on merit. Quota advocates however, point out that what constitutes merit is a matter of debate. While political parties may consider factors such as high levels of relevant education and formal political experience, citizens may support the notion of MPs who are familiar with the daily struggles of common people. Research from around the world also shows that men in politics do not necessarily have conventional political qualifications and that the ideal of meritocracy is invoked selectively to argue against gender quotas and to undermine female candidates (Paxton 2007, p.228; Siemienska 2003).[8] In other words, the ideal of a meritocracy has been used as a cover to continue the marginalization of and discrimination against women.
- ***Quotas emphasize the sex of politicians over their qualifications and political beliefs.*** This is a variation on the previous argument and the refutations are similar as well. We might well ask proponents of this view, if politicians should be elected regardless of sex, why were women deprived from the right to vote and to run for office at the conception of democracy? According to this "sex-neutral", merit-based argument, the right to vote that women struggled about 100 years to gain should have been theirs to start with; however, that was not the case. Sex has been a criterion for involvement in political life and in many contexts still continues to be. We must now use that same criterion to redress a grave distortion, and parliaments must reflect the society by incorporating gender balance (Scott 1996a; Scott 2005).

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8. For instance, the few female parliamentarians in Iran have much higher levels of education than the majority of the male parliamentarians. In this regard, a female parliamentarian that has similar qualifications to the majority of male parliamentarians does not stand a chance of getting nominated. Iranian party leaders are infamous for justifying their low levels of women's nominations on the absence of "qualified" women. However, in the 1996 general elections, a female candidate, Faezeh Hashemi, received the second highest number of votes in her constituency after competing with 350 male candidates (Afshar 2002), which illustrates the voters' willingness to vote for female candidates. Similarly, in various European countries, such as Poland, female parliamentarians hold more university-level degrees and party or trade union experience than their male counterparts (Siemienska 2003).

- ***Quotas are undemocratic.*** Although this is a common argument against quotas, in fact quotas limit electoral choice to a very minor degree, since they apply to a limited percentage of candidates or seats and the degree to which choice is reduced is insignificant relative to the freedom to choose from otherwise marginalized representatives. For instance, in 30% quotas, voters still have complete choice for the remaining 70% of candidates, who are almost always men. Furthermore, few citizens or even party members are actually involved in how parties decide who becomes a candidate in any case, since candidate nomination is the prerogative of party leaders. Though this criticism is raised by quota opponents in the name of citizen's choice, it is really about the limits quotas place on party leaderships' prerogative to run candidates who will support them. Citizens' lack of choice is in fact truly compromised by the huge amounts of money special interests donate to boost the campaigns of certain candidates. Massive advertising buys votes and severely handicaps candidates not funded by powerful special interests. However, those who argue that quotas are undemocratic do not object to these other practices which truly undercut democracy in significant ways.
- ***Quotas discriminate against men.*** This is another common argument against quotas, which is related to the meritocracy reasoning. However, the language of quotas is increasingly gender neutral, with many feminists framing their support for quotas in terms of a minimum level of parliamentary representation of each sex (as in no less than 40%). Furthermore, how do quota opponents suggest that 100 years of explicit exclusion of women from formal political life be addressed? Since a reformulation of conceptions of citizenship or a reconstruction of electoral systems to reflect the realities of both men and women are not viable, well thought-out gender quota systems can be effective, strategies to counter women's political underrepresentation in an essentially male-created system (Pateman 1988; Young 2000).
- ***Women do not constitute a single interest group.*** This argument tries to counter the position of gender quota advocates arguing that women constitute an interest group with common needs and interests which differ from those of men. The counter argument posits that women in fact are highly diverse, with differing opinions, thus they do not constitute a group and therefore a quota is inappropriate. In fact, having a gender

quota by no means limits representation of the diversity of women across classes, religious backgrounds, etc.; it simply acknowledges *their common handicap* in accessing formal politics. Indeed, political parties also represent various constituencies, and run candidates who represent them. Additionally, there has been a shift away from emphasis on women's unique interests (for instance as mothers) by gender quota advocates, who focus on the fact that women make up half the population and are impacted by policy and legislation differently from the male half. This can be due to discriminatory laws which preclude their participation in the political structure, to family laws in their respective societies that restrict them from moving freely outside the home, from continuing their educations without their husbands' permission, or from participating in the labor market or traveling. Quota proponents also point out that while women may not be a "special interest group" in most democratic societies they are still the ones responsible for childrearing and running the household, and in this regard do have a shared perspective that is different from the male one.[9]

- ***Quotas may actually act as a maximum threshold for female representation, instead of a temporary measure to permanently empower women, since states may nominate or elect only enough women to meet the quota.***
  Some liberal democrats and feminists have expressed concern that quotas may ultimately act to limit the numbers of women in parliament. There is simply no data to support this concern; failures of gender quotas to increase the number of women MPs have been due to weak quota provisions rather than the quota itself. There have been more cases of successful quota implementation than not, whereby the number of female MPs rose steadily from the time the quota was adopted, as in most Nordic countries, Argentina, and Rwanda; as opposed to cases in which quotas acted as thresholds, such as Bangladesh, Indonesia, and Jordan. Reserved seats quotas, which are usually lower than other quota types, are more likely to act as thresholds, particularly if they are to be filled by women appointed by male political elites. In these cases, male leaders are very unlikely to appoint more women than the quota has mandated (which causes the quota to act as a threshold rather than an empowering tool), and the few

9. Other impacts of systemic discrimination against women are women's limited opportunities to access educational or professional institutions such as law schools to the same extent as men, resulting in those professions being developed with masculine perspectives or even unfriendly to women's presence (Paxton 2007).

token women are often used as a means for the state to seem modern. This is the case for instance in Jordan and Bangladesh in which male elites still have much control over quota implementation.

- ***Quota implementation is too unreliable, depending too heavily on political electoral and social factors.*** While quotas can be difficult to apply, and thus require careful design with reference to the specific electoral system and political character of a given state their successful application outnumbers unsuccessful cases. Fortunately case studies from around the world provide us with increasing understanding of factors that lead to a successful quota mandate. We thus know that a carefully drafted quota provision that is a good fit with the existing political and electoral structures and has strong, clear wording are key for its success. We also know that gender quotas must be implemented concurrently with efforts of the women's movements and other advocates to mobilize the society, including male political elites, and that the quota implementation process must be closely monitored and corrected when flaws emerge. If these elements are present, a gender quota is almost guaranteed to succeed.

As the above arguments indicate, the debates around gender quotas have been fierce but constructive, and have ultimately brought the opposing sides, particularly those who argue from feminist perspectives, closer together. The increasingly gender neutral language of discussions around gender quotas, emphasizing measures to address the underrepresentation of half a nation, has helped diffuse some of the tension.[10] And as more research and case studies have become available, the dialogue has shifted from the highly ideological to the more empirical. More nuanced and sophisticated arguments are possible thanks to case studies from around the world that highlight very diverse political and historical contexts. The fact is that the adoption and implementation of quotas is a complex endeavor and its success depends on understanding how a quota may interact with the existing political and party systems. The research clearly shows there is no universal or simple recipe that applies to all countries.

Thus, the most important aim of this book is to examine where, how, why and under what circumstances the quota system has been successful. This

10. The long and fierce public discourses over gender parity in France, as well as the quota debates in India, played a key role in developing the discussion on women's political exclusion to a new historical depth, and resulted in a more nuanced, sophisticated and ultimately productive levels (Scott 2005; Nanivadekar 2006).

includes examining the conditions and political contexts of successful gender quota application, and the significant variables political activists should keep in mind when lobbying for national or local quotas for their electoral systems.

## Global Gender Quota Trends

Gender quotas are rapidly spreading across the globe, because women refuse to be silenced and societies are looking for ways to address and end exclusionary practices that work against at least half of their populations. As illustrated in Chart 3.1 above, developing countries are at the forefront of recent quota adoptions, and are considered by scholars such as Dahlerup (2006) to be taking the fast-track towards gender balance in the parliaments, as further elaborated on below. In fact, out of the 26 countries in the world that have reached critical mass, or 30% or more women parliamentarians in their national legislatures, nine are ranked by the United Nations Development Program as having a "low" or "medium" Human Development Index (HDI)[11] (see Table 3.2). Most of these states have adopted either legal electoral or constitutional types of quotas; only two have voluntary party quotas, the type of quota prevalent in Western contexts (Krook 2006, p. 310). Table 3.2 lists the countries with critical mass representation as of November 2010, as reported by the international organization Inter-Parliamentary Union (IPU), along with their HDI ranking and the type of gender quota adopted, if any.

Table 3.2 The countries with critical mass (30% +) female representation as of December 2010

| Rank | Country | Universal Suffrage* | Last Election | % Women | HDI Rankings: High, Medium or Low Human Development** | Type of Gender Quota*** (national level only) |
|---|---|---|---|---|---|---|
| 1 | *Rwanda* | *1961* | *9 2008* | *56.3%* | *167 (Low)* | *Constitutional (30% reserved) & Legislative quotas* |
| 2 | Sweden | 1921 | 9 2010 | 45.0% | 7 (High) | Party quotas |
| 3 | South Africa | 1994 | 4 2009 | 44.5% | 129 (Medium) | Party quotas |
| 4 | Cuba | 1934 | 1 2008 | 43.2% | 51 (High) | No quota |
| 5 | Iceland | 1915 | 4 2009 | 42.9% | 3 (High) | Party quotas |

11. Human Development Index (HDI) is "a compound indicator of economic development, established by the United Nations, which attempts to get away from purely monetary measurements by combining per capita GDP with life expectancy and literacy in a weighted average" (A Dictionary of Geography 2004).

Table 3.2 (*continued*)

| Rank | Country | Universal Suffrage* | Last Election | % Women | HDI Rankings: High, Medium or Low Human Development** | Type of Gender Quota*** (national level only) |
|---|---|---|---|---|---|---|
| 6 | Netherlands | 1919 | 6 2010 | 40.7% | 6 (High) | Party quotas |
| 7 | Finland | 1906 | 3 2007 | 40.0% | 12 (High) | No quota |
| 8 | Norway | 1913 | 9 2009 | 39.6% | 1 (High) | Party quotas |
| 9 | Belgium | 1948 | 6 2010 | 39.3% | 17 (High) | Legislative & party quotas |
| 10 | *Mozambique* | *1975* | *10 2009* | *39.2%* | *172 (Low)* | *Party quotas* |
| 11 | *Angola* | *1975* | *9 2008* | *38.6%* | *143 (Low)* | *Legislative quotas* |
| `` | Costa Rica | 1949 | 2 2010 | 38.6% | 54 (High) | Legislative & party quotas |
| 12 | Argentina | 1947 | 6 2009 | 38.5% | 49 (High) | All three types of quotas |
| 13 | Denmark | 1915 | 11 2007 | 38.0% | 16 (High) | No quota |
| 14 | Spain | 1931 | 3 2008 | 36.6% | 15 (High) | Legislative & party quotas |
| 15 | Andorra | 1970 | 4 2009 | 35.7% | 28 (High) | No quotas |
| 16 | New Zealand | 1893 | 11 2008 | 33.6% | 20 (High) | No quotas |
| 17 | *Nepal* | *1951* | *4 2008* | *33.2%* | *144 (Medium)* | *Constitutional & Legislative quotas* |
| 18 | Germany | 1918 | 9 2009 | 32.8% | 22 (High) | Party quotas |
| 19 | Macedonia | 1946 | 6 2008 | 32.5% | 72 (High) | Legislative Quotas |
| 20 | Ecuador | 1929 | 4 2009 | 32.3% | 80 (High) | Legislative Quotas |
| 21 | *Burundi* | *1961* | *7 2010* | *32.1%* | *174 (Low)* | *Constitutional (30% reserved) & Legislative quotas* |
| 22 | Belarus | 1919 | 9 2008 | 31.8% | 68 (High) | No quotas |
| 23 | *Uganda* | *1962* | *2 2006* | *31.5%* | *157 (Low)* | *Constitutional (20% reserved) & Legislative quotas* |
| 24 | *Tanzania* | *1959* | *12 2005* | *30.7%* | *151 (Medium)* | *Constitutional (30% reserved) & Legislative quotas* |
| 25 | *Guyana* | *1953* | *8 2006* | *30.0%* | *114 (Medium)* | *Constitutional (33% in candidate electoral lists)* |
| **26 Total** countries with 30 per cent or more female representation | | | | | | |

*Sources:* Adapted from IPU: Inter-Parliamentary Union: Women in National Parliaments as of December 2010 http://www.ipu.org/wmn-e/arc/classif311210.htm

* IPU: Women's Suffrage http://www.ipu.org/wmn-e/suffrage.htm

** UNDP: Human Development Reports: 2009 Human Development Rankings http://hdr.undp.org/en/statistics/

*** The Global Database of Quotas for Women http://www.quotaproject.org/country_by_region.cfm International IDEA, Stockholm University and Inter-Parliamentary Union 2010.

*Notes:* The gray shades indicate the countries that are ranked with low or medium human development by the UNDP Human Development Reports for 2008. Also the dates of universal suffrage indicate the dates for which all restrictions on voting were lifted.

The recent dramatic increase in the adoption of gender quotas in non-industrialized regions has garnered much scholarly interest. In part this is because of a long-held assumption that gender equality and women's empowerment are characteristics of Western and industrialized states, while the developing world was characterized as culturally, politically, and even socially incapable of advancing women's rights. Cultural standards and economic advancement were particularly emphasized as key factors in women's rights development by scholars who posited the Western societies as the role model for other regions (Inglehart, Norris, and Welzel 2003; Inglehart 2003; Przeworski and Limongi 1997). However, recent data shows little or no correlation between a state's level of economic development and women's political representation. Some of the world's most industrialized democracies, such as the United Kingdom, the United States, Japan, Russia, Italy and France, all of whom are members of economically and politically powerful Group of Eight countries (G8), have an average of 18.5% women in parliaments, while some of the most economically under-developed states, such as Rwanda, Mozambique, Uganda, Afghanistan, Tanzania, and Burundi, have an average of 31.4% of women representatives. In fact most of the countries that adopted gender quotas recently continuously struggle with economic and political disasters, ranging from famine to war and foreign occupation.

It appears that achieving a critical mass of women in national legislatures is the result of a more complex constellation of factors than previously assumed. Previous studies on women and politics concluded with simplistic explanations for increasing the number of women in parliaments, emphasizing correlations with industrialization, proportional representation electoral systems, high levels of female education and labor force participation, Protestantism, and a presence of new left political parties, among other variables (Phillips 1991; Inglehart 2003). However, such relatively consistent findings might have been the result of limited research that "was largely centered on the study of advanced Western democracies in the period after 1970. More recent studies examining larger samples of countries over longer periods of time have exposed limitations in the methods and assumptions informing earlier research." These studies point to a vast array of other

factors that influence women's political participation, such as the diversity of political actors, their strategies and the political, historical and social contexts of each state (Krook 2003, p. 3).

It is arguable that some of the developing states (most of which are also recent democracies) implementing gender quotas are seeking a faster route to address women's underrepresentation. According to Dahlerup (2006), it took Norway, Denmark and Sweden (often considered model countries in terms of women's representation) 60 to 70 years from the time of women's enfranchisement to achieve critical mass (see Table 3.2). The implicit discourse in early writings on women's political involvement posited a linear progression whereby discrimination against women would gradually diminish as society developed; developing countries were expected to take the same path. However, there has been a growing impatience among contemporary feminists who are unwilling to wait and who do not subscribe to the linear model of development. There has been increasing pressure from national and international groups for "*fast track*" measures pushing for gender parity and more women-friendly political cultures and practices. A number of recent democracies are now adopting the *fast track discourse*, applying gender quotas to reach critical mass of women in legislatures. As Tables 3.3 and 3.4 indicate, the number of years it takes women to achieve critical mass in parliament after acquiring the right to vote averages only 38.6 years for developing countries, as opposed to 60 to 70 years for developed countries. The "*incremental discourse*" is intertwined primarily with the voluntary party quotas (or absence of quotas) of developed states; the *fast track discourse* requires constitutional or legally sanctioned gender quotas – the type of quota more commonly adopted in developing states.

The above data as well as the rate of quota adoption in the developing world, leads us to ask why these states are at the forefront of quota adoption. What are the forces, actors, and reasons that lead to the adoption of gender quotas for national parliaments in countries that have not even consolidated their democracies, or are suffering from basic problems such as poverty or lack of security? While there are a number of factors, clearly a significant cause of this development stems from the relentless work of women's movements that demand recognition of women's political rights as part of inherent democratization process. Thus electoral gender quotas have emerged as one of the prominent mechanisms for achieving this

Table 3.3 Average number of years for developed states to first reach critical mass of women (30%+) in the parliament

| | Country | Women's Suffrage | The first year with critical mass (30%+) | Years from suffrage to 30%+ representation |
|---|---|---|---|---|
| 1 | Finland | 1906 | 1983 | 77 |
| 2 | Sweden | 1921 | 1985 | 64 |
| 3 | Norway | 1913 | 1985 | 72 |
| 4 | Denmark | 1915 | 1988 | 72 |
| 5 | Netherlands | 1919 | 1990 | 71 |
| 6 | New Zealand | 1893 | 1996 | 103 |
| 7 | Germany | 1918 | 1998 | 80 |
| 8 | Iceland | 1915 | 1999 | 84 |
| 9 | Argentina | 1947 | 2001 | 54 |
| 10 | Costa Rica | 1949 | 2002 | 53 |
| 11 | Belgium | 1948 | 2003 | 55 |
| 12 | Cuba | 1934 | 2003 | 69 |
| 13 | Spain | 1931 | 2004 | 73 |
| 14 | Belarus | 1919 | 2004 | 85 |
| 15 | Macedonia | 1946 | 2008 | 62 |
| 16 | Andorra | 1970 | 2009 | 39 |
| 17 | Ecuador | 1929 | 2009 | 80 |
| | | | | *Total: 1193* |
| | | | | ***Average: 70.1*** |

*Sources*: Constructed from IPU: Women's Suffrage http://www.ipu.org/wmn-e/suffrage.htm, IPU: Inter-Parliamentary Union: Archived Data http://www.ipu.org/wmn-e/classif-arc.htm, Freidenvall, Lenita, et al. 2006, p. 58.

Table 3.4 Average number of years for developing states to first reach critical mass of women (30%+) in the parliament

| | Country | Women's Suffrage | The first year with critical mass (30%+) | Years from suffrage to 30%+ representation |
|---|---|---|---|---|
| 1 | Rwanda | 1961 | 2003 | 42 |
| 2 | South Africa | 1994 | 1999 | 5 |
| 3 | Angola | 1975 | 2008 | 33 |
| 4 | Mozambique | 1975 | 1999 | 24 |
| 5 | Nepal | 1951 | 2008 | 57 |
| 6 | Uganda | 1962 | 2006 | 44 |
| 7 | Burundi | 1961 | 2005 | 44 |
| 8 | Tanzania | 1959 | 2005 | 46 |
| 9 | Guyana | 1953 | 2006 | 53 |
| | | | | *Total:348* |
| | | | | ***Average: 38.6*** |

*Sources:* Constructed from IPU: Women's Suffrage http://www.ipu.org/wmn-e/suffrage.htm, IPU: Inter-Parliamentary Union: Archived Data http://www.ipu.org/wmn-e/classif-arc.htm

goal. To further analyze this issue, we will now define what is meant by quota adoption and implementation, and outline the key factors involved in these processes.

## Gender Quota Adoption

*Adoption* of a gender quota refers to legislation or state directive, or the voluntary action by a political party. We have noted various contemporary circumstances which can lead to quota adoption, and the complexities entailed. Distilling the multiple factors at play, scholars have arrived at a framework for analyzing quota adoption across many studies, while acknowledging that there is no *single* definitive model (Krook 2007, p. 368-369). Quotas are most often adopted when certain *actors* push for them or various *forces* help create an environment that enables their adoption. This section will briefly examine these factors.

The dominant actors generally fall in to one of three categories: civil society actors, state actors, and international and transnational actors. Civil society actors refer primarily to national women's movements, which research shows are the most common source for gender quota proposals. Many scholars argue that gender quotas are rarely adopted without the prior mobilization of women's movements, which generate public discourse and lobby relevant political actors and institutions. This is so even when male elites are ultimately responsible for formally introducing and legalizing gender quotas (Krook 2007, p. 370; Tripp 2004; Baldez 2004). However, when state actors are the key force behind a gender quota, in some cases this means that political elites, namely political party leaders, adopt gender quotas for political expediency, in order to create an image of equality and social justice relative to competing parties. In such cases, if the women's movement has not been involved to any meaningful degree, or contributed to the substance of the quota details, the quota is often an empty gesture, illustrating a commitment to women's rights to the electorate without necessarily actually altering the pattern of political representation.

The third group of actors that can play a key role in quota adoption are from the international community, including transnational women's and human rights activists, international and bilateral organizations such as the United Nations (UN), and funding agencies supporting women's

rights and democracy. Over the past decades, various international documents, namely the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW, passed in 1979) and the Beijing Platform for Action (PFA, approved in 1995), have emphasized women's equal representation in political decision-making positions. Transnational networks, international and non-governmental organizations, continue to campaign on these documents and publicize the tactics and strategies for successful reform.

However, quota adoption generally involves the participation of all or a mix of groups of actors, in combination with other forces. For instance, the gender quotas adopted in post-Taliban Afghanistan were due to the efforts of various actors, in conjunction with circumstantial factors. The main actor in this case was the Afghan women's movement, constituted by many individuals and organizations already involved in civil society and service delivery in the absence of state infrastructure and services through the long years of war. Their initial demand was for a 50% women's quota, arguing that women in post war Afghanistan comprise more than 50% of the population. They further argued that the particularly bitter experiences suffered by women over 30 years of war made them more viable nation-builders than the Afghan men, who waged war for decades, particularly the horrible divisive civil war which brought more destruction to Afghanistan than did the Afghan war against the Soviet Union. The Afghan women's movement enlisted the active support of UNIFEM and of transnational feminists to push for the quota. The process of constitution writing in Afghanistan was under intense global scrutiny following the dramatic international mobilization for the war against the Taliban; notwithstanding the powerful conservative and patriarchal forces among Afghan society, great deliberation and discussion among political elites resulted in a reserve of approximately 27 percent of parliamentary seats for women under the new national constitution of January 2004.

Other forces are also instrumental in quota adoption. Central among them, especially in the recent wave of quota adoption in the developing world, is the democratization process itself. Recent political theorists and philosophers have noted a trend towards the rhetoric of gender as an important feature in the definition of inclusive citizenship and the expansion of democracy (Cornwall and Goetz 2005; Held 1987). The vernacularization of

these debates by national women's movements has also helped bring attention to women's exclusion from political decision-making in the democratic world (Scott 2005; Merry 2006). The international community advocates quotas as a way to help establish the legitimacy of a new political system during democratic transition or the creation of new democratic institutions and contexts, where politicians tend to be relatively responsive to public opinion concerning equality, social justice, and the importance of the female constituency.[12]

Within the international community, donor agencies such as the World Bank, the International Monetary Fund and USAID have also influenced the adoption of gender quotas, thanks in part to lobbying by the transnational women's movement for conditional funding tied to such political reforms. However, in contexts where the particular national women's movement is weak or refuses to work with the state, such conditions can lead to quotas that only increase the number of women parliamentarians in token amounts, and fail to alter the political structure or to truly expand democracy. Tokenism generally amounts to reserving a few parliamentary seats (usually not exceeding 10 percent) for females nominated by political elites. This also ensures that the women in office are accountable primarily to the ruling elites rather than the public. However, as international pressure increases, the percentage or significance of women's quotas may also increase.[13] For example, in Bangladesh, national level gender quotas were originally introduced in 1972, with 15 reserved seats from a total of 315, but the quota lapsed several times as a result of political instability. Various civil society groups, in collaboration with grassroots women's movements, mobilized, lobbying directly and through transnational civil society groups to convince development agencies to make the re-adoption of gender quotas a precondition for development aid upon which the government of Bangladesh was dependent. In 2000, a United Nations Development Program provided Bangladesh with funding for a $4 million governance

12. However, some states may adopt quotas as a strategy to seem more modern, without allowing substantive input from grassroots women's movements or the consideration of the female constituency's needs and demands. An example is Jordan, where in 2004 King Abdullah reserved 6 seats for women in the 110-member lower house of parliament. This measure occurred without much input from the national women's movement.

13. In addition to Structural Adjustment Programs (SAPs), local NGOs that focus on women's political representation may provide support and training for potential women candidates, funded largely by international donor agencies and institutions, instead of depending on the state to formally institutionalize gender quotas (Rai 2008, p. 97).

program to extend its lapsed quota legislation for women in parliament and to increase the percentage of required seats for women from 7 percent to 30 percent (Paxton 2007, p. 184). Currently, Bangladesh has 45 reserved seats for women out of a total of 300 parliamentary seats, a far cry from the advocated 30 percent. However, in March 2009 Prime Minister Sheikh Hasina declared her intent to increase women's reserved seats to 100 as proposed by the National Women's Development Policy of her party, though by the time of the publication of this book this promise remained unrealized.[14]

Finally, national crises have also led to the adoption of gender quotas. For instance, "of the 12 African countries with the highest rates of female representation in parliament (all of which have also adopted quotas in recent years), eight (Angola, Mozambique, South Africa, Uganda, Rwanda, Eritrea, Burundi, and Namibia) have undergone liberation wars or civil conflict in recent years" (Tripp, Konate, and Lowe-Morna 2006, p. 119). Many developing states are still suffering from political, economical, and social turmoil. Countries emerging from civil wars or wars of liberation have adopted quotas in part because women mobilize under such conditions to save their families and communities and to promote peace. Post-conflict states often draft new constitutions or re-establish their parliaments from scratch, which enables women's movements to pressure for drastic changes. Also "upheavals of this kind shake up existing social and cultural norms, even if only for a short time, opening a space for women to play non-traditional roles" (Tripp, Konate, and Lowe-Morna 2006, p. 119). For instance, in the aftermath of the 1994 Rwandan genocide, women, who by then constituted about 70 percent of Rwandan society, were able to break down traditional assumptions concerning the role of women and entered the public sphere as rebuilders and reconcilers of a torn country. However, the successful adoption of quotas in Rwanda would not have been possible if the women's movement was not prepared with specific demands for the new government, namely adoption and implementation of quotas. They were also prepared to provide input on

14. Thaindian News, "Bangladesh Parliament to Double Reservation for Women," 2009, available from http://www.thaindian.com/newsportal/politics/bangladesh-parliament-to-double-reservation-for-women-lead_100164454.html. Prime Minister Sheikh Hasina's promise to increase the number of reserved seats by the next elections, which are expected to take place in 2013, had not been materialized by the time this book went to print in early 2011. As quota measures in Bangladesh are in the form of constitutional reforms, the parliament is required to debate them, a process that thus far does not seem to have begun.

the preferred kind of quota and electoral systems. Overall, there is no single or conclusive explanation for quota adoption. Factors from below (such as the presence of an active women's movement), and above (the political will of elites) and the breakdown of the old social structures in post-conflict contexts, can all be cited. It is also common that post-crises situations involve the international community in national reconstruction projects, creating leverage to either directly or indirectly pressure national elites to abide by international norms.

## Twists and Turns in Gender Quota Implementation

It is often argued that the adoption of gender quotas is meaningless without effective *implementation,* meaning enforcement such as sanctions for non-compliance. Many states have adopted gender quotas without a subsequent rise in female representation, thus defeating the purpose of quotas altogether. A poorly defined gender quota will fail because it does not adequately penalize non-compliance, which is often the case when quotas are adopted as token measures without the true intent to politically empower women.

While scholars agree that it is very difficult to pinpoint why some quotas are more successful than others, since the success of quota measures are highly dependent on the broader social and political context of a given society; nonetheless, it is possible to decipher from various case studies three primary characteristics: 1) Quotas must be clearly worded with unequivocal language concerning implementation; 2) quotas must fit well with the state's electoral and political structures; and 3) quotas must be advocated and adopted by those who are truly committed to addressing women's underrepresentation.

First, as alluded to earlier, the success of a quota is highly dependent on wording and details. For legislative quotas, sanctions for non-compliance appear to be an important variable. It is argued that the more specifically the quota measure is stated, and the stronger the sanction for non-compliance, the more likely its implementation will succeed. An example of a strong penalty for noncompliance that can be stated in quota provisions is that party lists that do not comply by nominating the required number of female candidates will <u>not</u> be eligible to compete in elections. Concerning voluntary party quotas, the commitment of the party should be clearly mandated to its members and the electorate.

The second factor in the success of a quota is how well it "fits" the existing political structures, particularly the state's electoral system. Thus, when formulating quotas, advocates must thoroughly examine existing political and institutional structures. For instance, legislative quotas that apply to candidate lists might not be the best fit for a majoritarian/plurality electoral system with low district magnitude, since individuals rather than the parties compete for votes and parties are less likely to risk nominating a female candidate to run against male candidate. Similarly attention should be paid to party behavior as well as the political culture of a state, since they play important roles in the proper implementation of a quota measure.

The third factor deals with the level of commitment of the actors involved in quota implementation, since quota measures are ultimately carried out by political elites who recruit female candidates and ensure balanced representation. In this regard, party leaders may implement quotas as a symbolic gesture, nominating the minimum quota requirement of women, and thus undermining the effectiveness of quotas to politically empower women. However, actors such as women's groups or organizations active inside political parties may play instrumental roles in effective quota implementation. Still other actors, such as courts or state institutions that monitor proper implementation are also significant; they may either overlook or penalize non-compliance. Therefore, when examining quota adoption, it is critical to analyze the key forces and actors involved, on a context-specific basis, since a model that may work for one society is not necessarily suitable for another. In short, to ensure the successful implementation of a gender quota, proponents must give careful attention to the following three features:

1. Design & language of the quota policy
2. The "fit" between quota and broader political structure and institutions
3. The key actors who support or oppose quotas and the extent of their influence, such as the willingness of political elites, women's organizations, and courts (international or national). What are the elite's true intentions for wanting to adopt gender quotas?

## Conclusion

In sum, gender quotas are considered to be an important tool to address women's political underrepresentation, though quota results are not uniform and quota adoption and implementation are complex processes that require much activism and research prior to their design, close monitoring of their

implementation, and follow-up modification to address shortcomings. Political underrepresentation of women is a major arena for intervention by grassroots women's rights advocates, who are often more in touch with the needs and interests of more marginalized segments of society. Quota advocates must work to promote a system that best matches the existing political structure and that has the most potential to support women's interests as opposed to those of political parties and elites. As the previous tables illustrated, the developing world seems to be at the forefront of quota adoption and reaching critical mass, a minimum standard that has not yet been reached by the majority of states in the world. In this regard, developing states are taking a fast-track approach towards gender balance in their national parliaments. Similar to other empowerment strategies, gender quotas are also expected to further develop and improve as countries, institutions, and parties continue their implementation and learn from experience. Though some of the recent democracies that have adopted quotas may have done so merely to appear more modern or democratic to the international community, this may still prove effective in the long-run, by encouraging future generations of women to participate in formal politics; however, truly effective gender quotas require the active involvement of grassroots women's movements.

# Chapter 4

## Party Quotas: Nordic Countries and the United Kingdom

## Country Profiles: Finland, Sweden, the United Kingdom

### Country Profile: Finland

***Geographical location:*** Northern Europe

***Population:*** 5 million (July 2010)

***Majority religions:*** Lutheran Church of Finland 82.5%; unspecified or none 15.1%

***Major historical developments:*** Finland was initially a part of Sweden from the 12th to the 19th centuries and then an autonomous constitutional monarchy within the autocratic Russian Empire. It eventually won its complete independence in 1917 from Russia. Finland is the only country of the first wave of democratization that granted suffrage to both men and women at the same time, as early as 1906. In the 21st century, the key features of Finland's modern welfare state are a high standard of education, equality promotion, and a national social security system. Since March 2000 Finland has had a female president, Tarja Halonen, who was initially elected by popular vote for a maximum term of six-years, and was then re-elected in 2006. Since June 2010, Finland has also had a female Prime Minister, Mari Kiviniemi.

***Human Development Index (HDI) ranking:*** In 2010, Finland ranked #16 out of a total of 169 countries measured worldwide.

***Political system:*** Finland operates as a Republic, and the president serves as the chief of state and is elected by popular vote for six-year terms. Finland also has a multi-party system, with numerous parties in which no one party often has a chance of gaining power alone, and parties must work together to form coalition governments.

***Parliamentary system:*** Unicameral Parliament or Eduskunta (members are elected by popular vote to serve four-year terms).

***Electoral system for parliamentary elections:*** Finland uses List Proportional Representation (List PR) system in which seats in the parliament are distributed to candidates or parties in proportion to the votes that they receive in the multi-member districts.

***Quota type:*** Finnish parties have rarely adopted gender quotas for parliamentary elections, though Finland did adopt a legislative quota to achieve near gender balance by appointing additional women to various municipal and government bodies when not enough have been directly elected. In this regard, while gender quotas at the national level were not essential as enough women were elected to these positions on their own terms, the same was not necessarily true for the local level and appointed positions.

***Female suffrage and standing for election:*** This right was granted as early as 1906 to both men and women. The first elections were held in March 1907, which saw the elections of 19 women to the parliament.

***Voter-turnout for previous parliamentary elections:*** 65% (2007)

***Voter-turnout by gender:*** For the 2003 parliamentary elections, 71.6% of eligible female voters turned out to vote in comparison to 67.6% of eligible male voters. The total voter turnout was 69.7%.

***Women in parliament (2007 Elections):*** 80 women from a total of 200 members (40% women).

## Country Profile: Sweden

***Geographical location:*** Northern Europe

***Population:*** 9 million (July 2010)

***Majority religions:*** Lutheran 87%; other (includes Roman Catholic, Orthodox, Baptist, Muslim, Jewish, and Buddhist) 13%

***Major historical developments:*** While Sweden emerged as an independent and unified country during the middle ages, by the 17th century it had expanded its territories into the powerful Swedish Empire. However, most of the conquered territories were lost during the 18th and 19th centuries to Russia. Since the early 19th century, Sweden has adopted strict neutrality, and hence avoided involvement in both World Wars.

***Human Development Index (HDI) ranking:*** In 2010, Sweden ranked #9 out of a total of 169 countries measured worldwide.

***Political system:*** Sweden is a constitutional monarchy, where the monarchy is hereditary. The prime minister serves as the head of government. Following legislative elections, the leader of the majority party or the majority coalition is usually appointed prime minister. Sweden has a multi-party system, with numerous parties in which no one party often has a chance of gaining power alone, and parties must work together to form coalition governments.

***Parliamentary system:*** Unicameral Parliament or Riksdag (members are elected by popular vote to serve four-year terms).

***Electoral system for parliamentary elections:*** Sweden uses List Proportional Representation (List PR) system in which seats in the parliament are distributed to candidates or parties in proportion to the votes that they receive in the multi-member districts.

***Quota type:*** Voluntary Political Party Quotas adopted various Swedish parties, including the Social Democratic Party which adopted the Zipper system (one sex alternates the other on party lists) first in 1993, but had internal quotas since 1978; the Left Party which has a 50% minimum quota for women on party lists since 1993, but even before that had internal quotas since 1978 and other party quota rules since 1987; and the Green Party currently has a 50% gender quota on party lists, plus minus one person, adopted in 1997, but also had internal quotas since 1981 and the first party quota rule introduced in 1987.

***Female suffrage and standing for election:*** Swedish women received this right in 1921; a decade after men over the age of 25 received it in 1911.

***Voter-turnout for previous parliamentary elections:*** 82% (2006)

***Voter-turnout by gender:*** For the 1998 parliamentary elections 82.8% of female eligible voters turned out to vote in comparison to 81.5% of male eligible voters (total voter turnout 82.1%).

***Women in the parliament (2006 Elections):*** 162 women from a total of 349 members (46% women)

## Country Profile: United Kingdom

***Geographical location:*** Western Europe

***Population:*** 62 million (July 2010)

***Majority religions:*** Christian 71.6%; Muslim 2.7%; Hindu 1%; unspecified or none 23.1% (2001 census)

***Major historical developments:*** The UK has played a leading role in the development of parliamentary democracy, through multiple reforms protecting the rights of citizens and limiting the power of the Monarch. The first was the Magna Carta signed in 1215; followed by the 1628 Petition of Rights granting constitutional power to the Parliament over the king; the 1679 Habeas Corpus Act granting protection to prisoners kept against the wishes of Parliament or the courts; and the 1689 Bill of Rights which reduced the Monarch's right to levy taxes, suspend laws, or keep an army during peace times. Internal stability enabled the British Empire to colonize over one-fourth of the earth's surface by the 19th century, exerting significant and long lasting political and economic consequences globally even after colonies' gained independence during the first half of the twentieth century.

***Human Development Index (HDI) ranking:*** In 2010, the UK ranked #26 out of a total of 169 countries measured worldwide.

***Political system:*** United Kingdom is a constitutional monarchy. The Prime Minister who serves as the head of government is the leader of the majority party or the leader of the majority coalition. The UK has primarily been a dual-party system (with Labour and Conservative parties), however after the 2010 elections the Liberal Democrats, its third largest party, entered into a coalition government with the Conservatives for the first time.

***Electoral system for parliamentary elections:*** The UK uses the First Past the Post (FPTP) electoral system, in which the candidate with the most votes wins in single-member district elections.

***Quota type:*** Political Party Quotas in the form of All-Women Shortlists (AWS) that required women's nomination to at least half of the upcoming "inheritor" seats (vacant due to retirement) and in half of "strong challenger" seats (deemed most winnable), were initially adopted by the Labour Party in 1992. In 2001, Liberal Democrats adopted a 40 percent target of women candidates, but rejected All-Women Shortlists.

***Female suffrage and standing for election:*** Universal suffrage with no property restrictions was granted in 1928. Prior, suffrage had been granted only to propertied men (1432 for the elites, and 1832 for the landowners), and propertied women or those who helped in the factories during WWI (1918).

***Voter-turnout for parliamentary elections:*** 61.36% (2005) **and** 65.1% (2010)

***Voter-turnout by gender:*** For the 2005 parliamentary elections 61% of eligible female voters turned out in comparison to 62% of eligible male voters. Total voter turnout was 61%.

***Women in the parliament (2010 Elections):*** 144 women from a total of 650 members (22% women); according to the Center for Women and Democracy, the breakdown of female parliamentarians by political parties is as follows: Labour-82 women from a total of 256 members, Conservative-49 from a total of 306 members, Liberal Democrat-7 from a total of 57 members, plus six additional women, each from a different party.

# Party Quotas: Nordic Countries and the United Kingdom

The most widely used type of gender quota is the party quota. Such quotas are *voluntary* measures adopted by political parties, committed by their mandates to gender justice and to the increased presence of women in the legislature. They were first introduced in the early 1970s by Western European socialist parties. They are currently most prevalent in Nordic countries and Western Europe; however, they coexist with other quota types, such as legally sanctioned quotas, in many Latin American and African states. International IDEA's Global Database of Quotas for Women (2010) estimates that 101 parties in 53 countries worldwide use party quotas for national parliamentary electoral candidates, and about half of these are in Europe (International IDEA and Stockholm University 2010). In this chapter we further discuss the history of party quotas, and their successes and limitations, through the analysis of some European case studies, beginning with a brief introduction of the nature of women's political participation and representation from the Nordic region, which, as shown in the grey shaded area in Table 4.1, has led the world in terms of female parliamentarians. Although all Nordic countries, with the exception of Finland, adopted party quotas for parliamentary elections, in this chapter we will evaluate to what extent these quotas were instrumental in increasing the level of women's parliamentary presence.

Before we examine the adoption of party quotas in the Nordic context, it is first necessary to briefly analyze the historical context of the region concerning gender roles and women's rights activism.

## The Historical Context

Rising out of a patriarchal society run by a strong state, the early Nordic women's movements promoted their cause as part of the necessary condition for the advancement of society as a whole, tactfully pointing out the contradiction between social democratic ideals and promises and women's status. In this way they gradually politicized issues of universal suffrage, and female education, employment, and parliamentary representation as the responsibilities of the state to deliver. The road to success was long

Table 4.1 The five nordic countries plus the United Kingdom

| Country | Universal Suffrage | Party Quota Adopted | Electoral System | % Women as of Dec. 2010 |
|---|---|---|---|---|
| Sweden | 1921 | 1980s | List PR-Closed Lists with limited personal votes | 45% (2010) |
| Iceland | 1915 | 1980s | List PR- Open Lists (voluntary) | 42.9% (2009) |
| Finland | 1906 | None* | List PR-Open Lists (mandatory) | 40% (2007) |
| Norway | 1913 | 1970s | List PR-Closed Lists | 39.6% (2009) |
| Denmark | 1915 | 1980s (later repealed) | List PR-Open Lists (voluntary) | 38.0% (2007) |
| United Kingdom | 1928 | 1980s | Mixed Member Proportion MMP | 22% (2010) |

*Sources:* Constructed from IPU: Inter-Parliamentary Union: Women in National Parliaments as of December 2010 http://www.ipu.org/wmn-e/classif.htm

IPU: Women's Suffrage http://www.ipu.org/wmn-e/suffrage.htm

*Notes:* The gray shaded areas indicate the five Nordic countries.

* In Finland, the Green Party temporarily adopted quotas in the 1970s, but this move came at a time when nominating high proportion of women candidates was not unprecedented, as further explained below.

and challenging, as the state and conservative political forces considered gender inequality a manifestation of *natural* gender roles. While suffrage was achieved in the early 1900s in all the Nordic states, other legislations which targeted injustice based on "traditional" gender role ideology were not achieved till later. For instance, until 1938 Swedish women in middle-class professions such as nursing or teaching were likely to be fired either upon marriage or pregnancy (Hassim 2008).

**Feminism,** understood here as the adherence to equality of men and women, has been a particularly strong social force in the Nordic contexts, relative to the more intellectual early feminism in other parts of Europe and in North America. Questioning the so-called "natural" inequalities maintained through systematic discrimination, feminists launched a multi-dimensional campaign to rectify several exclusionary laws concerning education and employment policies as well as decision-making processes. That their hard won successes are now often attributed to the "inherent" egalitarian culture of Nordic countries, especially by male researchers, simply attempts to belittle women's ultimately successful resistance and struggle for gender equality.

In the early 1960s, amid widespread public debate on sex roles, feminist scholars arguing that gender roles were primarily the outcome of socialization formed radical socialist "Women's Liberation" movements that challenged traditional sex-role stereotyping. Mobilizing young women by the thousands, along with some young men, in the 1970s and 1980s feminists from all five Nordic countries contested the patriarchal political institutions, decrying all-male political assemblies as undemocratic and unacceptable (Freidenvall, Dahlerup, and Skjeie 2006). The women's movements lobbied around social justice issues, focusing on gaps between political party rhetoric and practice, particularly those of left leaning parties invoking principles of social justice for all. One of their winning strategies was not just lobbying political parties, but actually joining them, making alliances and whenever possible placing feminists and women activists in party structures and other political bureaucratic positions – working within the institutions they hoped to change as well as from outside through re-shaping public opinion (Hassim 2008). Gradually, many feminist organizations turned into women's committees of political parties (mostly leftist parties), while some women's organizations remained independent from the party structure, devoting their energy to campaigns for gender equality. These various strategies politicized women's concerns, raising public awareness and support for the idea that women's exclusion from politics and the benefits of democracy was anything but "natural", and was in fact a result of man-made legal systems and an insidious gender ideology perpetuated by male-dominated political structures and cultures.

As such activity continued to influence public discourse, Nordic feminists also campaigned to increase female voter turnout, recognizing its key importance in both debunking the widespread belief that by nature women were uninterested in politics, and increasing political response to women's demands. Gradually the gap between the rates of male and female voter turnout began to close in all Nordic states, as well as in most of Western Europe. In fact since the 1970s women have generally outvoted men in the Nordic region and the U.K.; for the few countries for which data on female voter turnout is available, Sweden is notable in that since its 1976 national elections women have consistently voted in numbers equal to or surpassing men (IDEA 2008). In Iceland women have been outvoting men since the 1988 elections, and in Finland since the 1987 elections. Even prior to this, in both of these countries women and men voted at similar rates in the 1960s. In the United Kingdom, discussed in more detail later in the

chapter, women have generally voted at similar rates to men since 1974, and in some elections have outvoted men (Kittilson 2006). For instance in the 1997 UK elections an estimated 17.7 million women voted, compared with around 15.8 million men, while the 2005 parliamentary elections had 61 percent of eligible female voters turnout compared to 62 percent of men (IDEA 2008).

When official statistics on male and female voter turnout are not available, research institutions turn to surveys carried out by interest groups. Although not as reliable as official government statistics, they nonetheless give a good indication of voter turnout by sex. Table 4.2 presents election data collected by two such institutions – the Comparative Study of Electoral Systems (CSES), an international election research program, and the European Social Surveys (ESS). The table shows that for the years surveyed, male and female voter turnout was similar in these 7 countries, with the rate of female voter turnout slightly higher in most cases. Only Sweden's 2005 elections show slightly more men voting than women.

Table 4.2 Voter Turnout by Gender

| Country | Election Year | Women Relative to Men | Source |
|---|---|---|---|
| Sweden | 2005 | 0.98 | CSES |
| Iceland | 2002 | 1.02 | ESS |
| Finland | 2004 | 1.02 | CSES |
| Denmark | 2006 | 1 | ESS |
| Norway | 2002 | 1.02 | CSES |
| France | 2003 | 1.09 | CSES |
| United Kingdom | 2002 | 1.05 | CSES |

*Sources*: Based on data from *Societal participation,* OECD Family database, www.oecd.org/els/social/family/database. Available from http://www.oecd.org/dataoecd/1/20/43200248.pdf

The statistics clearly show there is no credibility to any argument that women lack interest in politics, or that low female voter turnout is the cause of low levels of women in political office; discriminatory practices have kept women out of formal politics and it was in this context that the demand for a minimum percentage of women on electoral lists, on committees or in government steadily increased in most of these countries (Freidenvall, Dahlerup, and Skjeie 2006).

## Party Quotas in the Nordic Countries

The voluntary quotas eventually adopted by a number of Nordic political parties were not implemented until the 1980s, when women already occupied about 20 to 30 percent of parliamentary seats, the highest rate in the world at the time. Hence, party gender quotas were adopted to reach "gender balance" rather than to meet minimum requirements – their primary function in most contexts today (Freidenvall, Dahlerup, and Skjeie 2006). Despite this fact, feminists from other regions, such as Latin America, often advocate for quotas using the Nordic states as models. This is because for late twentieth century feminists aspiring to reach Nordic women's level of political representation and empowerment, using women's quotas, particularly voluntary party quotas, is simpler and faster in addressing women's underrepresentation than modifying other major obstacles such as the state's electoral system or cultural attitudes that relegate women to the private sphere.

Interestingly, Scandinavian feminists only lobbied for gender quotas in the 1980s and 1990s when their optimism that social progress would eliminate prejudices against women faded away. With promised changes failing to materialize, women's movements began focusing on systematic discrimination against women through extensive research and documentation. They brought these debates to the public sphere, and successfully politicized the issue of the reproduction of sexual hierarchy through the generations, while also pointing to the failure of political processes to include women. Galvanizing public opinion, pressure from civil society inspired movement within the wider society and party structures to seek solutions to the systematic exclusion of women from the public sphere. In other words, the women's movements across Nordic countries tactfully organized campaigns "from below" as well as "from above", which eventually resulted in strong "state feminism", or state support for gender parity within political institutions (Lovenduski 2005). For instance, grassroots women's activism in Norway led to the creation of a strong state machinery that eventually prioritized women's equality in decision-making. In this regard Norwegian state feminism included the institutionalization of women's interests by establishing consultative bodies overseeing the implementation of equality legislation and policy. Beginning in the 1970s, such councils ensured that members of both genders are nominated to all governmental committees. Prior instances of pressure on political parties included female voters in the 1967 municipal elections crossing out the names of candidates on the

Socialist People's Party ballot and instead writing in the names of female candidates from other parties. This confrontational, yet legal move not only led to the increase in female representatives in that municipality from one to fourteen, but also sent a strong message to political parties that it was time to let women in (Means 1972, p. 371-373; Means 1976, p. 386).[1] When male politicians protested, accusing women of using "undemocratic procedures", the Norwegian women's organizations joined together to launch a campaign urging women to vote for female candidates. The success of such coalitions became clear in the 1977 parliamentary elections, in which a group of 400 women, consisting of representatives from political parties, the private sector, and the feminist movement, united and through their efforts increased the number of female representatives from under sixteen to twenty-four. One of the major goals of Coalition 400 was to introduce quotas within the political parties to end women's exclusion and to ensure their access to politics (Lucas 1990).

State feminism also became a reality in Finland, as women's right activists pressured the state to establish the Council for Equality whose mandate would be to remove exclusionary practices from all political, economic and public institutions. Once the Council was established the onus was on women's rights activists to network and develop policies addressing women's inequality at various levels. The Council provided a legitimate and direct channel to the state for women activists, through which women managed to pressure state institutions to introduce gender quotas at the local level (Raevaara 2005).

Given the close ties between the Nordic countries, feminists and women activist leaders networked across borders, learning from each other's experiences. Furthermore, the period from 1985-1995 was the height of transnational women's movement activity, which Nordic feminists vigorously joined. They also pressured their countries to make gender equality part of their development aid packages. Other factors were also at play in the adoption of gender party quotas in the 1980s and 1990s, the most significant of which will be discussed below. Close analysis of these factors demonstrates the important role that social and political contexts play in shaping specific strategies, as well as the significance of taking advantage of the momentum and opportunities that arise, sometimes unexpectedly.

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1. According to Norway's Municipal Elections Act of 1925, voters are permitted to delete one or more names on a party's ballot and replace them with other names. For further detailed information please see Eugenie Lucas (1990) and Ingunn Nordeval Means (1972, pp. 371-373; 1976, p. 386).

## The Social and Political Context of Nordic Countries

Although many of the Nordic countries' political parties have adopted gender quotas, it is important to note that this only occurred beginning in the 1980s *after* women's representation had already reached a high level, and only a few parties accepted these measures. Therefore we have to examine other factors that initially enabled high levels of women's representation.

***The Women's Movement:*** Scholars analyzing these cases agree that one of the most important factors that assisted women's political representation in Nordic countries was the presence of a sustained, strong, multi-dimensional and committed women's movement that advocated gender equality in all spheres of public and private life. The movement carried out research on women's concerns and popularized its results in public discourse, raising demands for gender equality in education, employment, child-raising and women's political representation (Giddens 2003). Once they had established a base of support within civil society they launched wider strategic campaigns, often also working from within the state structure and political parties. Indeed what sets these movements apart from women's movements in most other regions is the early cooperation that Nordic feminists sought with the state and the country's political institutions, particularly political parties. While they criticized the state, they also treated it as a potential ally, emphasizing the responsibility of every democratic state to equally represent women and men. Hence, women's rights activists within the Nordic region used the state as a means to advance women's rights, through continuous pressuring and lobbying of state institutions, political elites and parties, while also mobilizing the public to support their demands. The long history of such civil society involvement with the state has resulted in the evolution of a responsive and democratic state structure, which is reflected in each country's culture and constitution. Today, the Nordic model considers various social movements as democracy's primary "actors" and "agents" (Freidenvall, Dahlerup, and Skjeie 2006), and values their participation in governance.

***Electoral System:*** The electoral system of the Nordic states was a key factor assisting women's access to political representation. All five states (See Table 4.1) have, since their first democratic elections in the nineteenth century, used the proportional representation electoral system in which voters vote for parties rather than individuals (List PR). As explained in previous chapters, the PR electoral system is considered to be more "woman friendly" than majoritarian/plurality electoral systems.

There are two variations of the List PR electoral system: open List PR and closed List PR, both of which are used in the Nordic Region. Open List PR refers to a proportional representation electoral system in which voters can vote for any candidate on the list and the candidates with the most votes are elected. In some countries the open list aspect of the electoral system may be voluntary, in that voters may choose to vote for the party but are not obliged to select specific candidates; open list systems may also be mandatory whereby voters are obliged to choose specific candidates from the list or their vote is considered invalid. In closed List PR, the party candidate lists are pre-ranked by the party leadership. In this system, once the party knows how many seats it has won, seats are allocated accordingly based on the list ranking, from top to bottom. Generally, Sweden[2] and Norway[3] use closed List PR systems, while Iceland and Denmark leave each party to decide whether to present the electorate with either a closed or open party list before the elections. Only in Finland, a country with a very high percentage of female parliamentarians and no parliamentary quotas, is the usage of open party lists legally mandated, whereby the electorate can vote for any candidate on the list regardless of their party ranking. Observers consider this aspect of the Finnish electoral system as a key factor in women's high parliamentary presence, since the majority female electorate tends to vote for women from within the lists. However overall, the success of women's representation in the Nordic region is mostly credited to its PR electoral system, regardless of the type of party list system in use, since each variation has advantages and disadvantages (as discussed earlier in chapter two) (Freidenvall, Dahlerup, and Skjeie 2006).

***A Social Democratic Political Culture:*** Another important factor is the long history of social democracy in the Nordic states. From early on, the *political culture* – or the set of values within which the political system operates (Kavanagh 1972) – of these states emphasized social democratic values, which intensified after World War II. Social democracies operate under close and integrative alliances between social movements, parties and the state, in which formulation and representation of public interest is at the forefront of

2. A reform in the electoral system of Sweden enabled limited use of open lists for parliamentary elections beginning in 1998 (see section on Sweden below), meaning voters could choose some, but not all, of their representatives through personal voting (Krook 2009).
3. Norway practices a mixed system with closed lists in parliamentary elections and open lists in local elections.

state party structure – often dubbed "movement democracy" (Freidenvall, Dahlerup, and Skjeie 2006). Also related to the region's political culture are long established secularism and Protestantism, which scholars suggest have also influenced gender relations and enabled women's access to education, employment and politics, which in turn democratized the society (Morgan 2006).[4] It is also suggested that the region's homogeneity and little ethnic diversity mean there is relatively little social inequality (Hassim 2008), and that furthermore, Nordic countries have democratized along their particular trajectory in part because they have never been colonized (though they have colonized their own aboriginal populations).

Clearly, a lively civil society including women's movements, vertically diffused from the grassroots to the state structure, helps explain the egalitarianism of Nordic political culture, including the prevalence of a comprehensive welfare state. Women, as an integral part of larger civil society, were instrumental in bringing about such democratic and egalitarian cultures, and are not simply beneficiaries, as scholars sometimes imply.

## Voluntary Party Quotas: The Swedish Case

The above mentioned factors played a key role in the establishment of voluntary gender party quotas in most of the Nordic states, with the exception of Finland, where gender quotas are in use only for local elections and are mandated by law. Party quotas were primarily adopted by left leaning, social democratic, centrist and green parties, but gradually expanded to more right leaning parties as well due to party competition in the PR system. As a brief case study, we will now examine the adoption and implementation of such quotas in Sweden.

In Sweden women achieved the right to vote in 1921, last among all Nordic states. Swedish feminists, a real and growing presence within all political parties, particularly in the Social Democratic Party (SDP), began to advocate for "gender equality" in various spheres of life (Hassim 2008). Campaigns for the adoption and implementation of gender quotas span a period of more than thirty years, beginning in the 1960s. While the main

4. Through a comparative analysis of four Western countries (France, the Netherlands, Sweden, and the United States) Kimberly Morgan argues that there is a direct linkage between religion and state feminism. She argues that in states with Protestant legacies, such as France and Sweden, women-friendly legislation are in part credited to the governments' historical tendency to limit the patriarchal influence of religion; while the opposite holds true in the Netherlands and the United States in both of which a Catholic legacy is much stronger (Morgan 2006).

actors in the early campaigns mostly consisted of women's movement organizations, later campaigns have engaged a much wider range of actors, extending to cross-party networks, the prime minister, party leaders, party congresses, civil society movements, and to a lesser extent international and transnational influences. As noted earlier the women's movement had already mobilized the mass of female voters to use their franchise, and ensured that political parties and leaders took heed of the value of women's votes. Thus party leaders and prime ministers supported the idea of gender quotas, at least in part because they feared the electoral consequences and the loss of women's votes if parties refused to take steps to increase women's representation (Krook 2009, p. 109). Furthermore, political gender equality advocates threatened to establish an all-women political party if existing parties did not accommodate their demands; a prospect political parties did not appreciate.

The women's organization Fredrika Bremer Association (FBF), took the lead in increasing women's parliamentary presence by encouraging women to vote and run for office, as well as pressuring political elites to increase women's representation. In the late 1960s the FBF formed a coalition with other women's organizations within political parties, and demanded a 50% increase in women's representation in every election until women had attained equal representation in parliament, followed by a demand for legislative quotas in 1980 (Krook 2009, p. 110-111). While initially these demands faced considerable resistance from Swedish political parties, which declared gender quotas to be an infringement on democracy, many parties by the 1970s and 1980s began to adopt recommendations and targets for the selection of female candidates. This in turn led to growing differences among the parties in terms of the proportion of elected women representing them in the parliament (Krook 2009; Hassim 2008).[5]

Eventually, the various party efforts to increase women's representation led to the achievement of critical mass (30% +) of women in parliament in 1985. In the same year, the government appointed the Commission on the Representation of Women to investigate existing nomination practices and proposed measures to foster gender balance at different levels of government. Starting with women's appointments to local and national

5. Although the Swedish parties did not call the various recommendations and targets they adopted to increase women's representation a "quota," in the common understanding of the concept they are in fact considered gender quotas. By the 1980s, the measures that were adopted by the Green and Left Parties were titled "quotas" (Freidenvall, Dahlerup, and Skjeie 2006).

committees, this Commission recommended that the government pass legislation to address women's low levels of underrepresentation in these bodies, for which a set of quotas were approved by the parliament in 1988. These quota discussions moved from the appointed committees to elected bodies when for the first time since winning the vote, the proportion of women in the Swedish Parliament (the *Riksdag)* declined from 38 percent in 1988 to 34 percent in 1991(Bergqvist and Findlay 1999). This reversal sent shockwaves across Sweden, where the common belief was that the trend of increased female representation was irreversible. Quotas for the Swedish Parliament would not in fact have entered public discussion if a decline in women's political presence had not occurred. This decline proved women's demands that political institutions, in this case political parties, must actively take measures to increase women's presence in the parliament; it also politicized the discussion on the public level.

Thus, in the 1990s a group of women called Support Stockings began to secretly meet to discuss the reasons for the fewer numbers of female parliamentarians, and then lobbied using the slogan "a whole salary and half the power" – meaning equal pay for equal work and women holding half the political power (Bergqvist and Findlay 1999, p. 137). This group threatened the established party structure, as many women inside the parties supported the goal of *varannan damernas* (a requirement that parties alternate men and women on their candidate lists), and party leaders feared they would defect to form a new women's party. These efforts eventually led to most parties agreeing to alternately list men and women in their party lists by the late 1990s, although many still refused to refer to this as a "quota". There were a number of arguments presented by the parties for their refusal of gender quotas. The most frequent was that quotas infringed on democracy by interfering with public choice. Thus, many party leaders preferred the term *varannan damernas* as it alluded to equal division between men and women, while they feared quotas could imply that the women selected might not otherwise be qualified. The supporters of this measure tactfully emphasized its equality provision rather than the fact that it was essentially a 50 percent quota. This is referred to as "framing" the issue in a way as to gain supporters, and can be an important strategy for quota advocates, depending on the contexts.

Currently, the major Swedish parties have adopted different types of quotas, ranging from the Social Democratic Party's 50% quota of *varannan damernas* (also referred to as the Zipper style as it alternates between a man

and a woman's name on party lists), to the Left Party's 50% minimum quota for women on party lists, and the Christian Democratic Party's 40% gender neutral recommendation which means both genders have to be represented by the at least 40% on electoral ballots (International IDEA 2006).

***The Implementation of Quotas in Sweden:*** Similar to other Nordic states, the implementation of party gender quotas in Sweden varied according to the degree of party commitment to adopt the voluntary quota. Those parties (majority leftist) that adopted alternated lists (*varannan damernas*) were able to increase the number of women elected to parliament, from 34 percent in 1991 to 41 percent in 1994. Among the most important factors that led to successful implementation of quotas in Sweden was the commitment of quota advocates, namely the women committee members of left leaning parties who continuously campaigned for increased female representation. In the subsequent 1998 election, the remainder of the major parties (mostly right leaning) established various gender thresholds which enabled them to elect at least 30 percent women; increasing the overall percentage of women parliamentarians to 43 percent. While some parties did not adopt the alternated list system, a slight modification in the electoral system compensated for the absence of party quotas by allowing voters to choose women candidates, regardless of their ranking on the candidate list. Thus, through trial and error, quota advocates sought a system that was a better "fit" for the Swedish electoral system, whereby the closed list system was altered to allow "limited personal votes," though completely open lists were not adopted (Ferrara 2003).[6] Needless to say, this act alone helped increase women's elections to the Swedish Parliament. Concerning the wording of the quota measures, party quotas differ from other types of quotas in that they are voluntary and thus lack legal mandates. Their implementation therefore depends on the commitment of the particular party to gender equality. In Sweden, women were able to politicize "sex" as a central criterion of candidate selection, which thus pressured parties to increase the proportion of

6. Sweden's Elections Act of 1997 enabled voters for the first time in Swedish electoral history to express a single preference vote for a candidate appearing on the party list, which until then was closed. This slight modification in the electoral system allowed "limited personal votes," by presenting voters with the choice to use one of three different ballots to indicate both party and candidate preference. The first type of ballot presents pre-ranked party lists on which the voter can mark a preference next to one candidate. The second type of ballot only has a party name printed on it, but the voter can write in a list of candidates and rank them as they wish. Lastly, a blank ballot may be chosen on which voters can write a party name and a list of candidates. In the latter type, voters may also write the names of independent candidates (Ferrara 2003).

women elected in order to adequately "represent" women as a constituency. Party commitments to female representation increased following the decline in the number of female parliamentarians elected for the 1991 elections, thanks to feminists successfully pressuring party elites to adopt quotas to prevent another reversal. Nevertheless, the progress of women's increased representation has been a gradual one, currently at 47 percent, despite the long history of women's and various parties' efforts.

***Pros and Cons of the Swedish Gender Quotas:*** As illustrated, gender party quotas became a priority for Swedish feminists and women's activists when women's representation in parliament declined in the 1991 general elections. The subsequent adoption of quotas led to a gradual increase in women's representation; all parties had at least 30% female candidates in the 2002 general elections; six parties had 40 percent, and two more than 50 percent women (Krook 2009, p. 128). The initial commitment to quotas by the left leaning parties politicized the issue of a balanced presence of female politicians and engendered widespread public support, forcing right-wing parties opposing quotas as undemocratic and anti-meritocratic, to themselves adopt gender quotas. Thus, although the quota debates began with leftist activists, more conservative parties were eventually pressured to accept quotas in order to gain women's votes.

Party quotas do however have several limitations. The major concern is that since they are voluntary and not legally mandated, a party may abandon the quota at any time, potentially resulting in a decline in women's representation. Secondly, since quota implementation is left up to the party, a party not truly committed to advancing women's representation can still place women candidates in unwinnable positions or too low on the party list. Swedish activists recognized this problem early on, which is why they advocated the Zipper style quota. Lastly, gender quotas, similar to other affirmative action measures, are considered by some as undemocratic and thus less than ideal for addressing women's underrepresentation. This controversial aspect of gender quotas has led many parties to adopt recommendations or targets instead, which may result in weaker implementation.

## High Representation without Gender Quotas: The Case of Finland

Finland is one of the most interesting and key cases for feminist activists engaged in promoting electoral gender equality. Finland did not implement gender quotas at the national level and yet it was the first country in the

world to reach a critical mass of women in national parliament.[7] What has distinguished Finland is that, unlike most other established democracies, women received the right to vote at the same time as men and women's issues have been debated in the Finnish Parliament from the start. Finland's case indicates that where women were not excluded from the initial democratic political processes when political culture was being formed, their issues and concerns would have been present in parliament, since the delegates would have needed the support of women voters to elect them. As a successful case study, Finland is important for gender parity advocates to pay close attention to, as it holds valuable lessons for the kinds of argument as well as strategies that can be adopted in other contexts. Indeed, Finland's unique experience of granting suffrage to men and women simultaneously impacted the legacy of democratization in the country as women were never subject to political exclusion.

However, looking at countries with higher levels of women's representation beside Finland, there seems to be a range of strategies that have been adopted. As of 2010, six of the 24 countries that have achieved critical mass in their national parliaments, namely Cuba, Finland, Denmark,[8] New Zealand, Andorra, and Belarus, do not currently use gender quotas for their national legislatures; though some may have adopted targets or non-formal quotas, as is the case in New Zealand.[9] Aside from these various case studies point to other strategies that were adopted in hopes to increase women's parliamentary presence, some more successful than others. For instance, some countries, such as Pakistan, India and France, adopted quotas for local elections on the assumption that this would eventually lead to women's

7. The Finnish Green Party did temporarily adopt a voluntary quota to nominate equal amounts of male and female candidates in the 1970s. However, this move did not attract more votes for the Finnish Greens (as it did for German Greens), since by that time running a high proportion of women candidates was not unprecedented (Kittilson 2006). Hence, women in Finland have maintained high levels of parliamentary presence without the help of party quotas, the reasons for which are outlined in this section.

8. Denmark's leftist and socialist parties had party quotas in the 1980s but all were abandoned in 1996. For more information please visit http://www.quotaproject.org/uid/countryview.cfm?country=63

9. Since the 1970s the New Zealand Labour Party (NZLP) has been taking steps to nominate more women, largely in response to a disastrous electoral defeat in 1975 and subsequent pressuring by women on party leaders to seek gender balance. In order to compete with other left-wing parties that had nominated and elected many women, the party began to use "soft quotas" – informal targets for a minimum number of women party list nominees. Though the NZLP never adopted specific or formal quotas, the percentage of women in the New Zealand Parliament reached critical mass (32.2%) in 2005 (Krook, Lovenduski, and Squires 2009).

increasing success in national elections. However the very successful municipal quotas in India (Baviskar and Mathew 2009) did not lead to an increase of women MPs, and it was only after many attempts and a somewhat bitter struggle by women's rights activists that a gender quota was finally adopted by the upper house of the Indian Parliament in March 2010 (International IDEA and Stockholm University 2010).

Party or state ideology also seems to contribute to high female representation without gender quotas. The political culture of communist states, for example, tends to enable higher percentages of female representatives – as was illustrated by the sudden drop in the worldwide average of women parliamentarians, which fell from 14.3 percent in 1988 to 10.3 percent in 1993, due to the collapse of the Soviet Union in 1989. It is also argued that a strong and sustained women's movement in the Nordic states has played a key role in increasing the number of women in office (Freidenvall, Dahlerup, and Skjeie 2006; Dahlerup 2005). Some scholars claim that Nordic societies are inherently gender equal, with a cultural openness to women's presence in the public sphere (Inglehart 2003). This argument downplays the very real efforts of women and civil society that contributed to making these cultures more women-friendly, while at the same time suggesting the exclusion of women is based on "culture" as opposed to state institutions that systematically discriminate against women. Culture is not fixed, but is continually contested and changing. It is necessary to analyze why the political structure in a given state can be so resistant to women before proceeding to explore which factors can result in higher proportions of female parliamentarians in a given context. With reference to this, we discuss the case of Finland.

Finland is a state of many political firsts: in 1906 Finland was the first European country to grant universal suffrage to *all* citizens, regardless of gender, above 24 years of age, and in March 1907 held the first elections for its unicameral parliament. The significance of these general elections for women is illustrated by advertisements that urged Finnish women to ensure the election of a sufficient number of women, stating "…women are best at interpreting women's wishes" (Eduskunta 2006). In that election, women outvoted men in many districts, and nineteen women were elected to the first Finnish Parliament out of a total of two hundred female candidates. Although the number of female representatives dropped in the next dozen general elections, it gradually rose once again in the 1960s. In 1983, 77 years after women were enfranchised (see Table 3.3 in chapter three), Finland became

the first nation in the world to achieve critical mass of women in parliament (referred to as *Eduskunta*) (Eduskunta 2006). Currently, among the Nordic states, Finland has the third highest percentage of female parliamentarians, after Sweden (45%) and Iceland (42.9%) (see Table 3.2 in chapter three).

Overall, the women of Finland have had a remarkable level of participation in politics, particularly as voters and members of parliament. According to a 2006 Parliament of Finland report, since the 1907 parliamentary elections women have accounted for more than 52 percent of the electorate and the turnout of eligible female voters has ranged from 52 to 84 percent. This has ensured that Finnish Members of Parliament have remained very attentive to female constituencies. Strong women's rights advocates in parliament have continued to raise women's issues and tackle gender specific problems, helping to promote women's concerns. For instance, during the very first Parliament in 1907, female parliamentarians presented 26 bills, including an initiative concerning women's safety in the streets. In later parliaments women legislators across party lines have successfully fought for maternity care, women's property acts, child custody, and more.

Although female MPs have raised the possibility of forming a women's party, the majority of female parliamentarians have concluded that women's issues are best furthered through collaboration with their male colleagues. And because an active women's movement has continued to highlight the significance of the female vote, male MPs have tended to support legislation promoting women's equal rights. However, in order to enhance cooperation among members of parliament across party lines, in 1991 female MPs set up the Network of Women in Finland's Parliament (Eduskunta 2006). This has increased the voice of women MPs and enhanced their ability to gain support of male colleagues on gender equality issues. As opposed to creating an adversarial or segregationist dynamic that might have resulted from the establishment of a women's party, this approach has increased parity and cooperation between male and female legislators.-

## Factors that Contributed to the High Levels of Female Representation

As previously mentioned, various factors may have contributed to the high levels of female parliamentarians in the Finnish Parliament, the most significant of which will be briefly outlined here.

***Finland Set the Trend:*** Finland was first country where women gained both the right to vote and to stand for election. Finland is unique in that suffrage was granted to men and women at the same time (in 1906), whereas most other European nations first enfranchised men, with women gaining the vote at later stages, the exception being some of the countries that won independence after World War II. The simultaneous enfranchisement of men and women certainly helped shape a culture of gender equality in Finland, wherein politics have never been perceived as an exclusively masculine arena and women's interests have always been represented.

***The Women's Movement:*** A strong women's movement, including the establishment in 1884 of the Finnish Women's Association – which lobbied for voting rights for educated women – has continuously prioritized women's issues (Sulkunen 2007). The movement's strategy to work from within the party structure was significant; women activists saw parties as the true site for decision-making power, and thus party politics provided the best opportunity for the movement's goals to be translated into reality (Kittilson 2006, p. 109). This strengthened ties between women activists and parties, helping advance women's rights, as is further discussed below. The fact that Finnish women accounted for a majority of the electorate gave women's rights activists the leverage to successfully pressure parties to adopt women's issues. Thus, from the first parliament bills were passed supporting women's issues.

***The Electoral System:*** The design of Finland's electoral system, formed with the input of the women's movement, has greatly contributed to women's political presence. As a result of the historically high female voter turnout and support of female candidates, explained earlier, parties have always had great incentive to have women on their party lists under the proportional representation electoral system. In establishing the electoral system in 1906, Finnish women's movement opposed a closed List PR system wherein party officials rank candidates,[10] and Finland adopted open party lists, whereby voters can select an individual candidate from the party list, allowing any candidate to receive individual preference votes. Seats are allocated to parties in proportion to the votes received and the candidates with the highest number of votes win the available seats. Under this system, women have performed remarkably well, evidently elected by a distinct women's constituency (Kittilson 2006).

10. As mentioned in previous chapters, in "closed party list" PR systems, political elites can and often do rank women towards the bottom of the list.

This has been credited in large part to the women's movement campaign urging women to vote for female candidates. The (majority) female electorate, presented with an open party list, has tended to vote for female candidates, sending women to parliament, as opposed to in a closed list system where parties rank the candidates regardless of the number of votes each receives. The open list system, combined with an active female constituency, have in the case of Finland rendered gender quotas unnecessary. Interestingly, according to research done by Elina Haavio-Mannila (1979), since 1906 Finnish women have stood for both parliamentary and local elections, but have generally been more successful in getting elected to the national parliament. According to her, this is primarily due to the lower visibility and campaigning efforts of individual candidates at the local level (Haavio-Mannila 1979). This trend may explain the state's move to adopt a legislative measure to achieve near gender balance by appointing additional women to various municipal and government bodies when not enough have been directly elected, as further explained blow.

***Cross-Party Collaboration among Female MPs:*** Although Finland has a multiparty system, female MPs have often cooperated across party lines on women's issues as opposed to rigidly adhering to party platforms. This relative independence of female legislators and the alliance of female parliamentarians through the Network of Women in Finland's Parliament is in part the result of the open list electoral system, as women representatives know that if they serve their constituencies well, they will likely be re-elected regardless of party politics. However, in recent years voting patterns in Finland show that both men and women vote for candidates of either sex (Kittilson 2006); whereas previously women were more likely to vote for female candidates, men are increasingly voting for female candidates as well. However, women's parliamentary presence has been nearly stagnant in Finland since the 1980s (Kittilson 2006), and, according to a 2006 Parliament of Finland report, there continues to be significantly fewer female than male candidates, which impacts women's proportional representation (Eduskunta 2006). Thus, in recent elections women have accounted for slightly less than 40 percent of all parliamentary candidates (Hellsten 2007).

***Strong Social and Welfare Policies:*** From its earliest parliament, Finland has adopted strong social welfare policies supporting women's concerns. These include policies concerning education, maternity welfare, healthcare and much more. Such legislation reflects the impact of the women's movement

and the high numbers of female parliamentarians. Increasingly, women MPs are responsible for social welfare sectors, in which many have the required expertise. About 23 percent of current female MPs have worked in the social welfare and health sectors, while many others have expertise in the educational sector (Eduskunta 2006).

It is notable that though Finnish women have accomplished much in terms of access to politics and the ratification of women friendly laws, they nonetheless lag behind men in terms of political leadership positions, political candidacy, government-appointed positions, as well as in non-political areas such as business, unions, academia, media, etc. (Hellsten 2007). To address such gender imbalance in these areas, the state of Finland adopted the Act of Equality between Women and Men in 1987, which was an important response to the demands of the women's movement for state commitment to gender equality.[11] This Act, which was amended twice in 1992 and 1995, not only banned direct or indirect gender discrimination in educational or professional entities, but also established a 40 percent minimum quota for both sexes in state committees and local level executive bodies.

Although this quota does not apply to party lists or candidacy levels but rather to appointed positions, it nonetheless illustrates the state's commitment to increase women's presence across all areas. Thus, although Finland has accomplished *substantive* female representation, with women's rights supported through state legislation and women-friendly laws, it still lacks *descriptive* female representation in that men continue to outnumber women in many leadership and managerial positions in both state and non-state sectors. Thus, even as activists in many nations strive to reach levels comparable to Finland's in terms of female representation, Finnish activists continue to push for enhanced female representation, particularly in terms of important decision-making positions.

## Party Quotas in the United Kingdom: An Unsuccessful Case

While the United Kingdom (UK) also adopted voluntary party gender quotas, it has failed to reach a critical mass of women in parliament or the House of Commons. There are similarities and contrasts between the UK and the Nordic states in terms of history, socio-economics and politics. For instance, similar to women in the Nordic states, British women received the right to

11. "Act on Equality between Women and Men" (Finland), (1987). Available from http://www.unhcr.org/refworld/docid/3ae6b51c0.html (accessed December 30, 2010)

vote and to run for public office in the early 1900s (specifically in 1918). In common with other Western states, the UK has the important characteristics of a stable representative democracy in which women's socio-economic position is relatively high. Party competition in the UK has also been conducive to enabling the push for gender quotas, and similar to other states, gender quotas were first adopted by left oriented parties and subsequently adopted by others in order to compete for the female vote. Women's committees of the leftist parties were also influential actors in quota adoption (Kittilson 2006). Lastly, the level of female voter turnout in UK has been very similar to men's since the 1970s, and at times even higher.

On the other hand, the democratic institutions and electoral systems of the Nordic states differ from those of the UK. While Nordic states use proportional representation, the UK currently utilizes the First Past the Post (FPTP) system, which is a type of majoritarian/plurality system, though that may change in 2011 if the public decides to reform to the Alternative Vote system which is a particular form of majoritarian system.[12] Traditionally, UK's political structure has supported a two-party system, wherein mostly two parties – Labour and Conservative – dominate; though in 2011 we witnessed a major shift as the Liberal Democratic Party, UK's third party, entered into a coalition with the conservatives. Nonetheless, UK's political culture differs from the Nordic context which functions under multi-party systems in multi-member districts. As explained earlier, UK's current "winner takes all" FPTP electoral system negatively impacts women's political representation, as they compete directly with systemically advantaged male candidates. The remainder of our discussion in this section will

12. The United Kingdom has traditionally used the FPTP electoral system, which depending on the number of candidates running it may result in majoritarian or plurality voting outcomes. Hence, while previously only the two dominant parties competed for seats, the outcomes were majoritarian as one received absolute majority (50%+1) of the total votes; today with the inclusion of the Liberal Democratic Party candidates, as the third party, the elections result in plurality outcomes, in which simply the candidate with the most votes wins. This system has been increasingly declared unfair by the civil society and supporters of the Liberal Democratic Party, since simply electing the candidate with the most votes may mean election of a candidate with only 36% of the vote (where roughly 60% of the electorate is not represented). A chance to reform this electoral system was in May 2011, when UK held a referendum to change the FPTP system to Alternative Vote (AV) system as to ensure majoritarian support for the candidate elected by allowing preferential voting (or enabling voters to rank the candidates according to their preference). However, the AV electoral system was overwhelmingly rejected by the voters. For more information please visit BBC News, Q&A: Alternative vote referendum, available from http://www.bbc.co.uk/news/uk-politics-11243595, accessed May 21, 2011.

analyze the primary reasons why party gender quotas in the UK failed to substantially increase women's representation. Specifically, we examine why the same type of quotas that were successful in the Nordic cases, failed in the UK.[13]

In both Sweden and the UK, the campaign for gender party quotas began in the 1960s and gained momentum during the 1990s. Prior to the adoption of their first quotas, both states had low percentages of women in parliament: 14 percent in Sweden in 1970 and 9 percent in the British House of Commons in 1992 (Krook 2009, p.107). Currently, although both states have used quotas for several elections, the percentage of female Swedish parliamentarians has reached 47 percent, while in Britain it is at 22 percent. While the difference can in part be attributed to the number of years the quota has been in place, British women have also faced more obstacles: the FPTP electoral system, which has not been revised since the 19th century despite significant social and demographic change; and the relative absence of an organized campaign by women's rights activists directed at political representation; in combination with a competitive dual party structure. The central reasons for the shortcomings in the British case can be summarized as follows:

***The Electoral System and Legal Barriers:*** Much of the comparative research concerning party quotas in the UK blames their failure on Britain's First Past the Post system (which may result in either majoritarian or plurality outcomes depending on number of candidates running) and its related institutions. Under this system voters vote for individual candidates rather than party lists, so voluntary party quotas cannot apply to party lists. The UK women's movement thus advocated another strategy, pushing for an "All Women Shortlist" (AWS), which was adopted by the Labour Party in 1993-94, mandating that in 50% of upcoming "inheritor" seats (seats vacant due to retirement) and in 50% of "strong challenger" seats (seats deemed most winnable), the party would put forward a short list of only women candidates, to ensure an increase in the election of women.[14] However, though

13. For a useful and more detailed analysis and comparison of party quota adoption and implementation between Sweden and United Kingdom, see chapter five of Mona Lena Krook (2009).

14. Short-listed candidates are drawn up by Labour Party leaders at the local level and then presented for approval to the national level (by the National Executive of the Labour Party). The members of these organizations then choose one of the candidates, often after much consultation, as their final nominee for the party to enter the race with other parties' candidates. Hence the local Labour organizations choose one female candidate amongst many on the All Women Shortlists that were endorsed by the National Labour Party (Lovenduski and Norris 1989).

the AWS applied to only half of specific types of seats (about 40 districts or ridings), many male politicians within the Labour Party saw the AWS as an infringement and took the party to court. Eventually, in 1996, the measure was declared illegal, in violation of the 1975 Sex Discrimination Act, on the grounds that it discriminated against men (Kittilson 2006). The UK's First-Past-the-Post electoral system was blamed in part for the vehement challenge by male Labour politicians to the AWS; since each party can nominate only one candidate for each single-member district, male politician's saw their dominance and sphere of influence would be limited by the requirement to appoint women. Interestingly, despite the legal defeat of the AWS, the Labour Party was able to garner enough support from its members to partially apply the quota in about half of its "winnable seats" in the 1997 elections. Even with this marginal application, the AWS helped double the percentage of women in the national parliament, from 9.5 to 18.2 percent. Sixty-four percent of female representatives elected to parliament that year were from the Labour Party.

Furthermore, the legal defeat of the AWS fuelled the women in the Labour Party and women's movement to come up with innovative strategies to ensure women's election to the newly devolved assemblies in Scotland and Wales. The first strategy was to mobilize support for the establishment of parliaments in Scotland and Wales, with emphasis on adoption of a women-friendlier electoral system than the one used in the UK. The result was the adoption of a mixed electoral system for both assemblies, in which a portion of the seats are filled through the FPTP plurality system and the remainder through List Proportional Representation. Also thanks to continued mobilization the advocates of gender equality were able to make alliances with the Scottish and Wales nationalist movements and gain a commitment to equal representation in the new assemblies from political elites, and ensure provisions for women to be included to achieve this goal. Consequently, for the first elections for Scottish Parliament and the Welsh National Assembly in 1999, the Labour Party used a candidate selection system for the seats to be filled by the plurality system by "twinning" neighboring seats, whereby electoral districts were paired according to geography and "winnability", with a woman selected to run in one of the paired districts and a man in the other. Therefore, this strategy which was used for the plurality seats coupled with a list proportional representation electoral system for the remainder of the devolved assemblies' seats, resulted in significantly high percentages of women's representation. Also the "twinning" strategy was more difficult to

denounce than the All Women Shortlist system, since it could not be claimed to discriminate against men. This led to the election of 38% women to the Scottish Parliament and 43% women to the Welsh National Assembly, which sent a powerful message to the political elites that the public was willing to vote for female candidates over males. Interestingly, women performed better in terms of election to the plurality seats than in the proportional representation seats since parties tended to nominate women low on party lists whereas "twinning" was a firmer commitment to nominate women for the single-member districts (Squires 2004, p. 12-13). The Labour Party election inspired other parties in Scotland and Wales to slightly adjust their candidate selection procedures in 2003, which led to a jump in women's representation to 43% in Scotland's parliament and 50% in the National Assembly in Wales.

Back in England, women in Labour focused on legal rather than institutional strategies to increase women's representation, emphasizing revision of the Sex Discrimination Act as a means to avoid future legal contestation of measures to counteract discrimination. This strategy was deemed more realistic than demanding institutional modifications, such as attempting to lobby for a switch to proportional representation. Their primary thrust included lobbying for legal recourse to address the importance of increasing abysmally low minority representation along with addressing political gender imbalance. Since European Union law allowed provisions to counter historical discrimination in various arenas, including political candidacy, this provided the Labour women with ammunition to demand change of the Discrimination Act. Eventually, efforts paid off when, after the 2001 general elections (in which women's representation dropped), parliament passed an amendment to the Sex Discrimination Act, which allowed (but did not require) political parties to adopt measures to boost women's election. This reform enabled Labour to reintroduce All Women Shortlists for the 2005 elections, but only in 30 "winnable" constituencies; however, the party did not win all of these (Krook 2009, p. 215). Thus, women are still under-represented in the House of Commons.

***Political Party Structure:*** Related to the UK's majoritarian electoral system is the state's political party structure whereby in practice it is only the two main parties that compete for representation of single-member districts. The emerging third party, the Liberal Democratic Party, has yet to assume a real presence in the House of Commons, although it entered into a coalition with

Conservatives after the 2010 parliamentary elections. From the 143 women (out of 650 total MPs) that were elected to parliament in 2010, only seven were from the Liberal Democratic Party. Concerning gender quotas, the Liberal Democrats initiated the debate as well as the use of the All Women Shortlists, but the party's small size and lack of influential actors meant that no formal quotas were ever adopted. The Conservative Party has always resisted any form of quota, using the argument of merit based nominations. However, this shifted significantly in February 2010, when for the first time a Conservative leader, David Cameron, acknowledged the importance of All Women Shortlists to address the abysmally slow increase in female MPs. This is credited to the fact that Conservatives can no longer ignore the female voting bloc pressuring for increased women's presence, and are likely to be forced to pay at least lip-service to demands for a quota of some sort. The Conservatives won the May 2010 general elections which saw the election of 143 (22%) female parliamentarians, of whom an unprecedented 48 are Conservative. However, the majority of the women in the House of Commons are from the Labour Party, which currently has more than 80 female MPs. A two or three party, single-member district system, where one party dominates during a given mandate, is in general less vulnerable to pressures to increase women's representation.

Overall, the British voluntary gender quota case faced many obstacles that the Nordic cases did not. These ranged from a majoritarian/plurality electoral system, to legal and institutional barriers, as well as limited strategizing from key actors. Considering that quota adoption, implementation, and impact on increasing women's representation are multi-faceted, experts and activists advocate harmonized reforms to ensure that quota systems match the political and structural institutions. In the case of the UK, quota initiatives should have been matched with institutional and practical reforms, such as altering the electoral system, as occurred for the elections to the National Assemblies of Scotland and Wales; or alternatively adopting a quota measure that is more gender neutral (hence less controversial) such as Scotland and Wales' "twining strategy," which nominated a man and a women to each of the twinned neighboring seats according to geography and "winnability". As mentioned above, UK is currently in the process of reforming its electoral system to one in which minority or third parties have better chances of gaining votes. Hence, this is opportune times for the British women's movements to push for further structural or institutional reforms that also address women's political underrepresentation.

## Conclusion

The Nordic states, comprised of Sweden, Iceland, Finland, Denmark and Norway, have traditionally ranked the highest in the world in terms of women's parliamentary representation, and were considered models for other regions to follow. Not only were these states among the first to enfranchise women, their progressive social policies, namely in the areas of education, healthcare, employment and maternity, greatly enhance and benefit women's status in society. Today the Nordic states are widely lauded for their "democratic stability, secularism, egalitarianism, large public sector and an extended welfare state, as well as high standards of living and a long tradition of popular participation" (Freidenvall, Dahlerup, and Skjeie 2006, p. 55-53).

Not only is gender equality part of the official ideology of the Nordic countries, it has also been successfully enshrined in various formal institutions. Nordic countries have continued to demonstrate their commitment to gender equality through the passage of various measures that have removed discrimination against women, ratifying international women's rights documents, and supporting "feminist" political parties. Not surprisingly, proponents of women's political representation and gender quotas in other nations have paid close attention to the Nordic states in their own efforts to implement successful strategies. As discussed earlier, some scholars have pointed to the "egalitarian culture" of the region, and downplayed the integral efforts of women's rights activists that helped to bring about such a "culture". However, it is commonly recognized that culture is continuously contested and changing, and certainly the dedication of women's movements, activists and an active democratic civil society in the Nordic countries have been highly instrumental in achieving women's political empowerment in the region. Activists have organized collectively to develop and experiment with various strategies, to bring about not only women's political representation but a society that truly promotes gender justice. Close analysis of the achievements of women in the Nordic countries shows the role that activism has played in establishing gender justice as a norm and in shaping and inculcating state institutions with an egalitarian culture and ideology.

Though Nordic women were among the first to receive their political rights, it took them about 70 years to achieve critical mass from the time of enfranchisement. According to Drude Dahlerup (2006b), this time gap illustrates the incremental path towards gender equality, which recent

democracies will not necessarily want to emulate, as this would mean waiting decades to achieve women's critical mass in their parliaments. Another lesson and concern for proponents of gender justice is that despite current high levels of female parliamentarians in Nordic states, there is not yet a corresponding presence in other areas outside the political arena. However, women in Nordic states are gaining status in all areas, mostly due to the efforts of the women's movements, as opposed to reliance on the state's good will. As noted for example, women's high levels of representation are not wholly the result of quotas; in fact women had already reached exceptionally high levels of parliamentary presence before quotas were adopted by *some* parties in the 1980s and 1990s. And Finland, a state at the forefront of female enfranchisement and political participation, has hardly deemed it necessary to use quotas because historically women were part of the political sphere at the same time as men and because of their strong involvement in modern Finnish politics. While women in other countries can learn from the Nordic cases, they have to be mindful that these strategies cannot be adopted wholly as models to follow. Rather they have to be adapted to a particular country context.

Contemporary women's rights activist and feminists cannot wait decades to achieve gender equality in their emerging "democratic" states. They are opting for "*fast track*" *strategies* utilizing gender quotas to reach critical mass of women in legislatures. Indeed, a number of recent democracies (mostly from the global south) have been able to reach critical mass with an average of only 38.6 years from the time of women's enfranchisement (see Table 3.4 in chapter three). While there are certainly lessons to be learned from the Nordic countries, more recently democratizing countries, such as Rwanda (discussed in chapter six), with a most notable achievement of 56.3% female representation, may provide a more appropriate strategic model.

In sum, the effects of gender party quotas vary from state to state, and similar to other quota provisions, their success depends on a number of factors, such as electoral systems, the presence and strategies of an active women's movement, and the role of political elites or party competition, to name some of the most significant. In contrast to Sweden, which has been able to maintain an almost gender equal presence in parliament due to some parties' voluntary quota adoptions, the UK has yet to come close to critical mass of women in the House of Commons due to institutional, legal, and strategic barriers. Though some UK parties have adopted measures to change

this, and there is an active movement demanding women's representation, most of the problems lie in the implementation process. Some scholars argue that voluntary party quotas are somewhat easier to adopt than other types of gender quotas, but their implementation tends to be more challenging as it may require institutional changes as well. Such complexities all highlight that any type of quota adoption requires close examination of many institutional and political factors such as political traditions, historical trajectories and levels of civil society engagement may combine to play a key role in increasing the level of women's representation beside using gender quotas.

# Chapter 5

## Legislative Quotas: Argentina, France, and Indonesia

## Country Profiles: Argentina, France, and Indonesia

### Country Profile: Argentina

***Geographical location:*** South America

***Population:*** 41 million (July 2010)

***Majority religions:*** Roman Catholic 92% (less than 20% practicing)

***Major historical developments:*** In 1816, Argentina declared its independence from Spain but until World War II it was dominated by periods of internal political conflict, particularly between civilian and military factions. After World War II, an era of Peronist populism championed social justice (including female suffrage), Argentinean nationalism, and independence from foreign influence. This era came to end in 1976, when a military junta supported by the CIA took power in a coup. The years that followed saw intense repression during a "dirty war" in which thousands of dissidents "disappeared". Democracy returned in 1983 after the military regime was widely discredited due to unprecedented corruption, the public's revulsion over the dirty war, and their defeat by the British in Falklands War, all of which eventually led to free elections. In 2007, Argentina elected its first female president, Cristina Fernández de Kirchner.

***Human Development Index (HDI) ranking:*** In 2010, Argentina ranked #46 out of a total of 169 countries measured worldwide.

***Political system:*** Argentina operates as a Republic, and the president serves as the chief of state and is elected by popular vote for four-year terms. Argentina also has a multi-party system, with numerous parties in which no one party often has a chance of gaining power alone, and parties must work together to form coalition governments.

***Parliamentary system:*** Bicameral National Congress: Senate (upper house) and Chamber of Deputies (lower house). Members of both houses are elected by popular vote.

***Electoral system for parliamentary elections:*** Argentina uses List Proportional Representation (List PR) system in which seats in the parliament are

distributed to candidates or parties in proportion to the votes that they receive in the multi-member districts.

***Quota type:*** Legislative Candidate Quotas: *Ley de Cupos* adopted in 1991 but later revised in 2000, reformed the country's electoral law to mandate that all party lists must have a minimum of at least 30 percent women among their candidates for all parliamentary elections. To ensure women's election, the law specified that the regulation of nominating 30 percent women applies to the number of seats that the party is trying to renew. The law also has rank order rules in that it requires at least one woman for every two men nominated on the party candidate lists (Semi-Zipper style all the way down the list); in case the party has only one or two seats to renew, at least one woman must be nominated as one of the top two candidates. In case the party lists do not comply with the electoral law, they will either not be approved or are subject to revision by a judge, who moves women candidates' names to higher positions on the list prior to the election.

***Female suffrage and standing for election:*** Argentinean women received this right in 1947, while their Argentinean men had received it in 1912.

***Voter-turnout for previous parliamentary elections:*** 73.13% (2007); information for voter-turnout by gender is not readily available.

***Women in the parliament (2009 Elections):*** 99 women from a total of 257 members (39% women)

## Country Profile: France

***Geographical location:*** Western Europe

***Population:*** 64 million (July 2010)

***Majority religions:*** Roman Catholic 83-88%; Muslim 5-10%

***Major historical political developments:*** The French Revolution of 1789 witnessed the adoption of the *Declaration of the Rights of Man and of the Citizen* by the National Assembly, which extended citizenship rights solely to European, property owning men, despite women's active participation in the revolution. Nonetheless, this document was among the first citizen rights documents in the world, though it did not expand citizenship rights to women. France became an imperial power colonizing parts of the African continent and the Middle East, but suffered extensive losses in its empire, wealth, and rank after the two World Wars. France has revised its constitution and electoral system several times, the last of which (the Fifth Republic) was in 1958, which made France's political system a hybrid presidential-parliamentary governing system.

***Human Development Index (HDI) ranking:*** In 2010, France ranked #14 from a total of 169 countries measured worldwide.

***Political system:*** France operates as a Republic, and the president serves as the chief of state and is elected by popular vote for five-year terms. France also has a multi-party system, with numerous parties in which no one party often has a chance of gaining power alone, and parties often work together to form coalition governments. In France, the dominant parties are the Union for a Popular Movement, which is a rightist party led by Nicolas Sarkozy (elected in 2007), and the left leaning Socialist Party and the Green Party.

***Parliamentary system:*** Bicameral Parliament: Senate (upper house) and National Assembly (lower house). For the Senate seats, an electoral college elects some of its members while the rest are filled according to a List Proportional Representation system, to which the parity law applies. Members of the National Assembly are elected by popular vote under a Two-Round System (TRS), as defined below, for single-member districts to serve five-year terms. The parity law requires parties to nominate equal percentages of women and men in the country's single-member constituencies.

***Electoral system for parliamentary elections:*** France uses the Two-Round System (TRS) only for their parliamentary elections in the lower house. TRS is a majoritarian system in that once voters have cast their first ballot for their single-member district, choosing one candidate or party among several, a runoff is held between the two candidates or parties with the best showing (the second election is avoided if in the first round a candidate or party receives absolute majority of the votes).

***Quota type:*** Legislative Candidate Quotas: Parity Law or ***Parité*** which was adopted in 2000 constitutionally mandated that each party nominate 50 percent candidates of both sexes overall, but with no conditions regarding which districts female candidates should run for, nor strong sanctions for noncompliance

***Female suffrage and standing for election:*** French women were among the last countries in Europe to receive the right to vote in 1944. Male suffrage in France was granted as early as 1792 in theory, since the turmoil of the revolutionary period made this ineffective, but in practice French men have voted continuously since 1848.

***Voter-turnout for previous parliamentary elections:*** 60.44% (2007); information for voter-turnout by gender is not readily available.

***Women in the parliament (2007 Elections):*** 109 women from a total of 577 members (19% women)

## Country Profile: Indonesia

***Geographical location:*** Southeastern Asia

***Population:*** 242 million (July 2010)

***Majority religions:*** Muslim 86.1%; Protestant 5.7%; Roman Catholic 3%; Hindu 1.8%

***Ethnic Groups:*** Javanese 40.6%; Sundanese 15%; Madurese 3.3%; Minangkabau 2.7%; Betawi 2.4%; Bugis 2.4%; other or unspecified 29.9%

***Major historical developments:*** A former Dutch colony since the early 17th century (and briefly occupied by Japan in the 1940s), Indonesia eventually declared its independence in 1945; but it took four more years until Netherlands agreed to transfer sovereignty in 1949. A major blow to the stability and democratization of post-independence Indonesia was the brutal massacre of some half a million of its population in the 1960s, mostly intellectuals and nationalist elites, trade unionists, feminists and other social activists with the support of the CIA and military leaders under the pretext of preventing the creation of a communist state. They helped to set up one of the most corrupt dictatorships in Indonesia which was ousted only in 1998. Consequently although universal suffrage was established in 1945, it was not until 1999, after decades of political turmoil and repressive rule that Indonesia held its first free parliamentary election. Despite such turmoil, Indonesia is now the world's third most populous democracy, and home to the world's largest Muslim population. Also in 2001, Indonesia elected a female president, Megawati Sukarnoputri. In fact, although Indonesian women have been largely kept out of formal politics, they have always been present in the nation's political struggles, beginning with the nationalist movements of the 1950s.

***Human Development Index (HDI) ranking:*** In 2010, Indonesia ranked #108 out of a total of 169 countries measured worldwide.

***Political system:*** Indonesia operates as a Republic, and the president is elected by popular vote for five-year terms. Indonesia also has a multi-party system, with numerous parties in which no one party often has a chance of gaining power alone, parties must reach the minimum 2.5% threshold of the popular vote to gain seats in the parliament.

***Parliamentary system:*** Indonesia's legislative branch consists of three bodies: one upper house, one lower house and one house for the regional level (this latter house is also integrated into the national level bodies to ensure their involvement in national level decision-making). Therefore, People's Consultative Assembly or Majelis Permusyawaratan Rakyat (MPR) is the upper house and consists of members of the House of Representatives as well as the House of Regional Representatives. The role of the MPR is to inaugurate and impeach the president and in amending the constitution, but does not formulate national policy. On the other hand, the House of Representatives or Dewan Perwakilan Rakyat (DPR) is the primary legislative body in the country as it formulates and passes legislation at the national level; this body consists of 560 members who are popularly elected to serve five year terms.

***Electoral system for parliamentary elections:*** Indonesia uses List Proportional Representation (List PR) system in which seats in the parliament are distributed to candidates or parties in proportion to the votes that they receive in the multi-member districts.

***Quota type:*** In 2003 Indonesia adopted legislative quotas, or legally mandated measures embedded in the country's electoral laws that required all parties to nominate at least one woman among every three candidates on party lists. Despite this powerful rank order rule, Indonesia's quotas have been rendered less effective when the constitutional court in 2010 declared that parliamentary seat allocation cannot be based on how candidates were pre-ranked on party lists, rather the voters are to select the individual candidates from party lists as in an open list system which reduced the chance of women being elected.

***Female suffrage and standing for election:*** Indonesian women and men received the right to vote in 1945, upon independence from colonial rule.

***Voter-turnout for previous parliamentary elections:*** 84.09% (2004); information for voter-turnout by gender is not readily available.

***Women in the parliament (2009 Elections):*** 101 women from a total of 560 members (18% women)

# Legislative Quotas: Argentina, France, and Indonesia

In the four years from 1991 to 1995, the percentage of female parliamentarians in Argentina rose from 6 percent to 22 percent. This significant increase would not have occurred without continuous pressure from key political and civil actors lobbying the government to remove both the subtle and overt exclusionary practices sustaining women's underrepresentation. Their efforts eventually led to the adoption of legislative quotas in November 1991. Today, Argentina is considered a role model for the process of gender quota implementation via legislative reforms within a proportional representation electoral system. Thus Argentina took the "fast-track to equal representation of women", whereby legislative gender quotas notably raised women's parliamentary presence (Dahlerup 2006b).

**Legislative quotas**, or quotas that are legally mandated by national or constitutional law, are the newest type of gender quota, appearing only in the 1990s as the issue of women's representation increasingly gained prominence within the international community. The 1995 Beijing World Conference on Women, the transnational women's movement, and feminist research and writing, all contributed to the growing emphasis on challenges facing women in formal politics. Legislative quotas are adopted by national parliaments either through constitutional or electoral law reform, and *require* all political parties to nominate a certain proportion of female candidates. Similar to party quotas, legislative quotas target the candidate selection process, but differ in that they are legally mandated for all parties. Legislative quotas apply only to the proportion of candidates, not to the ultimate proportion of women elected to parliament. Since these provisions are mandatory, they essentially require that national parliaments recognize "gender" as a political category, in effect altering the basic notions of equality and representation to allow for gender equality in the citizenship and democratization process (Krook 2009; Scott 2005). In other words, the state's legal guarantee of women's representation is in fact official acknowledgement that women's underrepresentation in parliament is "undemocratic". Various scholars see the adoption of legislative gender quotas by developing states as part of efforts to consolidate their democratization process (Araujo and Garcia 2006).

Legislative quotas have been adopted mostly by Latin American states and post-conflict nations in Africa, the Middle East and South Eastern Europe. They often call for women to form 25 to 50 percent of total candidates on party lists, but vary greatly in their implementation depending on the wording of the legal provision and the sanctions for noncompliance. While some legislative quotas are "weak", only vaguely outlining nomination mechanisms and with few or no penalties for non-abidance, others are more robust and rigorous concerning the selection and placement of female candidates, sanctions and oversight by external bodies. These elements greatly impact the success rate of quota legislations. In order to better analyze the key factors enabling successful implementation of legislative quotas, this chapter compares several cases.

The legislative quota experiences of Argentina and France provide a compelling comparison for several reasons. Firstly, although France adopted a more radical gender quota requiring 50 percent female candidacy, Argentina's more moderate 30 percent quota led to significant increases in female representation, while France's did not. As well, women's movements in both countries began their campaigns for legislative quotas in the late 1980s and early 1990s and, prior to quota adoption, both countries had almost identical proportions of women in parliament: 6 percent in the Argentine Chamber of Deputies and about 7 percent in the French National Assembly. However by 2008, after several post-quota electoral cycles, women made up 40 percent of Argentina's parliamentarians, but only 18 percent in France (Krook 2009, p. 161-162). The success of Argentina's quota system and the failure of France's deserve further analysis, since they clearly illustrate that adoption of high proportional quotas are not enough to sufficiently increase women's parliamentary presence. By examining the historical context, adoption, and implementation of legislative quotas in these two states, we will shed light on some of the main factors that impacted their quota experiences.

We begin with a brief examination and comparison of Argentina and France, and then look closely at very recently introduced quota provisions in Indonesia. These three states differ significantly in terms of political and institutional structures, and have had varying degrees of success with the use of gender quotas. Thus they are valuable cases for examining the various processes for implementing gender quotas and the different factors that impact their implementation.

## Argentina and France

***Gender Quota Debates in Argentina:*** Argentinean women obtained the right to vote in 1947 after decades of organizing (Feijoo 1994). While Argentinean politics have been primarily male dominated, for a brief period during the 1950s the governing Peronist Party, under the influence of First Lady Eva Peron, voluntarily adopted a 30 percent female quota for party organs and elective positions.[1] This quota increased the proportion of female representatives to 22 percent, and placed Argentina fourth in the world in terms of women in parliament. However the coup d'état of 1955 which overthrew Peron's government also put an end to the short-lived party quota, and women's parliamentary presence fell drastically to a mere 2.2 percent. Following the series of military dictatorships that ruled over Argentina for decades, the early 1990s saw efforts to rebuild democratic institutions. Such reforms further enhanced and democratized the already existing Argentinean closed List PR electoral system.

Women's groups and organizations played a central role in the democratic transition in Argentina, but their continued marginalization from politics revealed that democracy alone was not enough to bring about substantive changes in women's representation. Argentinean women's groups thus worked to forge links within the country as well as with the transnational and international feminist movements, and participated in several transnational conferences concerning women's political underrepresentation; the Argentinean women's movement determined that gender quotas offered a potential solution and began research and activism to that end.[2] Women's increased activism also influenced the left-leaning political parties, whose women's committees included advocates for increased

1. Argentinean women's political rights are often credited to Eva Peron's lobbying efforts. Madame Peron was a moving force in the campaign for women's right to vote and for the adoption of party quotas. She founded various women's organizations and introduced the idea of wages for housework (Htun and Jones 2002). Thus Argentina has a history of women's involvement in politics and is considered among the first instances of mobilization for "women" as an underserved political constituency. In this regard, women's gender specific demands were emphasized and politicized from early on, which supported the consideration of women as an interest group when the demand for quotas was raised.

2. The Argentinean women's movement and the quota debates were influenced and supported by several international conferences and declarations that emphasized women's access to political decision-making, as well as quota developments in other states, such as Costa Rica's Bill for Real Equality for Women, and quota mandates of parties in Spain, Germany, and Italy (Krook 2009, p. 166-167; Bonder and Nari 1995).

women's representation. These women introduced the discourse on quota to their parties. Eventually a cross-party women's network was organized, which pressed for the passage of a national quota law (Araujo and Garcia 2006).

Argentina's democratization process engendered the emergence of a lively civil society and cultivated interest in social justice. Combined with the international community's emphasis on women's political presence, these elements provided the Argentinean women's movement with the opportunity to push for legal reform to address the low level of female parliamentarians. These efforts finally resulted in the proposal of a few bills presented by female legislators from several parties in 1990. These bills, which were introduced to both the Senate and the Chamber of Deputies (discussed below), not only called for a **30 percent quota of women** on all candidate lists, but also required that female candidates be placed in electable positions; for example, placing a woman in every third position on party lists to ensure her election. When these bills came up for discussion in parliament, women legislators lobbied their colleagues, while the women's movement mobilized to raise media and public awareness concerning the new bills and the status of women in parliament generally. The senate voted in favor of the bill, primarily out of expediency; the majority of senators did not expect the bill to pass, and assumed that in any case it would be rejected by the Chamber of Deputies. None of the parties had developed positions regarding the quota, though the bill did face some opposition in the Chamber. However, the situation shifted dramatically when President Menem made a last minute phone call urging Deputies, particularly members of his ruling party, to vote in favor of the bill. This intervention was at least in part due to the women's movement lobby and the President's realization that his party needed the support of female voters. The bill passed almost unanimously in November 1991 (Krook 2009, p. 169-170).

However, the 1991 legislative quota provision (known as *Ley de Cupos*), was a watered down version of the bill originally introduced by female legislators. This law "amended Article 60 of the Electoral Code to stipulate that lists of candidates must include 30 percent women, in proportion which would make their election possible, and that lists that do not comply with this requirement would not be approved" (Krook 2009, p. 170). Unlike the original draft, the law did not specify where female candidates should be placed on the closed lists. This was rectified by a Presidential decree stating that the 30 percent quota applied to the number of seats that parties

*expected to win* (to ensure women's electability), and that non-compliance would result in the rejection of party lists by the electoral court. Despite this, for the 1993 elections several parties violated the provision, applying the quota to their entire list and not to the portion that was likely to be elected. The election thus failed to increase women's parliamentary presence to the anticipated level, due in part to poor enforcement mechanisms (women's movement and activists had to take the offending parties to court), and to the fact that only half of the Chamber's 257 seats were up for election (Araujo and Garcia 2006, p. 94).

In preparation for the 1995 elections, women's groups worked to ensure further clarifications of the quota law, and to outline enhanced enforcement mechanisms. A major legal clarification defined the "seats parties *expected* to win" as the "seats that a party *had up for re-election*." The court also established that the law in no way violated the constitutional principle of equality before the law, since the constitution guarantees *equality of opportunity* between men and women regarding access to political office through measures to eradicate discrimination against women. The election courts were required to ensure that all party lists were in compliance with the law; with more party lists complying this time around the election resulted in 22 percent female representation. The *Ley de Cupos* underwent further reform following the 1999 elections after women's representation decreased slightly when several parties which expected to win only two or three seats continued to ignore the quota. An executive decree in 2000 resolved this issue by requiring parties to place women at least second on their lists in districts where they expected to win only two seats, or to include at least one woman for every two men all the way down the list when expecting to win more than two seats. Parties found to be in non-compliance with this ranking order had forty-eight hours to revise their lists, after which time a judge would move women candidates to higher positions on the lists. The 2001-4 elections saw full application of the quota, following which women comprised more than 33.5 percent of elected Deputies and 44 percent of the Senate (Araujo and Garcia 2006, p. 99, 101). The percentage of women parliamentarians in Argentina has remained above 30 percent ever since, rising to 40 percent in 2007, and falling slightly in the 2009 elections to 38.5 percent.[3]

3. The 257 members of the Argentinean parliament are elected for four year terms, with half of the seats renewed every two years in all districts.

***Adoption of Gender Quotas in France:*** France's historical context had a unique and significant impact on its quota debates. It is important to recognize the historical link between women's political representation in France and the French Revolution of 1789 with its *Declaration of the Rights of Man and of the Citizen*. This celebrated document engendered legal reforms that ***did not*** recognize women as full citizens and did not extend rights to women. Subsequently, women marched in opposition, presenting a petition to the National Constituent Assembly condemning the male monopoly on political decision-making. Olympe de Gouges, a feminist intellectual and political activist who had devoted much of her life to the revolution on the premise that it supported women's political inclusion, published the *Declaration of the Rights of Woman and the Female Citizen* in 1791, in which she challenged the practice of male authority and the notion of male-female inequality. Ultimately, her opposition to the massive number of executions in the name of revolution and her uncompromising fight for equality between men and women cost her her life; in 1793 at the age of 45 she was guillotined for the crime of wanting to be a "statesman" and causing hysteria (Bauer and International Centre for Human Rights and Democratic Development 1996). Her insights on women's issues and her conviction that the revolution will only take effect when women are given all their legal and social rights continue to resonate in France today, as French women are still seeking political equality and gender justice.

Despite the fate of Olympe de Gouges, French women continued organizing, publishing works and setting up various organizations, including arts and popular theater groups, advocating for democracy and full citizenship rights for women. French women played a key role in the Revolution and in the creation of the Second French Republic in 1848, which led to further reforms and recognition of public rights. However, even at this stage in France, despite the French motto of *Liberté, égalité, fraternité* (Liberty, equality, fraternity), women remained without the right to vote (Scott 2005). This impacted the rest of the European states, which were also undergoing revolutionary turmoil; while revolutionary ideas of equality and democracy spread from France, so did the French model of excluding women.

The exclusion of women was justified through the notion of the "abstract individual", in which universalism was emphasized over differences such as gender, class, or ethnicity. At the time of the revolution, this abstract individual was understood to refer to every human with the capacity to reason

and make moral judgments, characteristics that male intellectuals insisted belonged only to men. Though the male revolutionary leaders were only too happy to have women's active participation during the revolution, with the establishment of the Republic they argued that women were not endowed with the powers of logic and reason, and belonged in the domestic sphere. Some male intellectuals, including Rousseau (1762) did not deny women's intellectual capacity, but claimed that women had "passive" imaginations and thus were not qualified to hold political power (Scott 1996a; Rousseau 1979). Thus, the abstract individual citizen was, by definition, a man.

French women rejected their political exclusion and continued to struggle for their political rights. This battle has been one of the longest and hardest fought struggles of women's movements anywhere. Their demands, which were fully articulated as early as 1791 in de Gouges' *Declaration of the Rights of Woman and the Female Citizen*, are yet to be realized. Even the right to vote was not achieved until after World War II, in 1944 – nine years after Turkish women obtained this right and some fifty years after women in New Zealand. Even then French women's right to vote was framed in terms of the recognition of their contribution to the French Resistance against the German occupation and not as a means to addressing and rectifying a political wrong after over one hundred and fifty years (Opello 2006).

Women's right to vote did not have as profound an effect as might be imagined, due to the deeply entrenched patriarchal political culture and structure of France. The debate on women's equality surfaced again during the 1960s in the context of the so-called second French Revolution of 1968, which demanded civil rights and equality for all citizens, regardless of gender. This crisis resulted in a general strike which temporarily destabilized the Charles de Gaulle government; it also opened up avenues for the discussion of liberal ideals of equality, sexual liberation and human rights. Nonetheless, despite research and surveys indicating public support for gender balance in political offices, women's political representation was clearly not supported by the system, never exceeding 6 percent and remaining one of the lowest in Europe. Until the early 1990s, attempts by the women's movement to address this were stone-walled in one way or another by the male political elite (Scott 2005).

The most common argument against legislation to increase women's access to political office was that the essence of the Republic was the notion of the individual citizen, regardless of race, ethnicity, religion or gender. This

argument held that any legal accommodation to address gender inequality would be too divisive, and would weaken the unity of the French nation. Discouraged in attempts at a legislative solution, women began to pressure individual parties from inside to adopt gender quotas. The women's committee of the Socialist Party lobbied the party to adopt a voluntary quota system. This resulted in the first ever women's quota, adopted by the Socialist Party in the 1970s. However, other political parties did not take the issue up, and quotas in the Socialist Party, which ranged from 10 to 30 percent of their candidates, never resulted in significant changes in the proportion of Socialist Party female members elected to office. The failure of the Socialist Party quotas is blamed on weak provisions which were rarely implemented to their fullest extent. Following this experience, quota advocates realized the importance of enforcement mechanisms and legally mandated quotas (rather than voluntary ones), as well as women's placement in winnable positions to accomplish proper implementation (Krook 2009, p. 183-4).

The first attempt at legal quotas occurred in 1982, when a modest quota bill, lacking any rank-order rules, was passed by the National Assembly. However, this law was declared unconstitutional by the Constitutional Council on the grounds that any sort of division of candidates into categories, and indeed any bill that recognized and addressed sexual difference, undermined the principle of equality before the law guaranteed by the constitution. This decision, justified once again by the notion of the universal abstract individual, forced quota advocates to try and develop a more fundamental critique of the French principle of equality.

It was within this context that in 1992 French women's rights activists launched what is referred to as the *Parité* movement, using the motto *liberté, égalité, parité* to advance new arguments and strategies, and calling for a fifty-fifty balance between men and women in all elected assemblies (Scott 2005; Lépinard 2007). This call for parity-democracy was aligned with other parity movements in Europe and with the Council of Europe (COE), which in the 1980s called for an increase in women's political presence (Krook 2009, p. 186). French feminists' new strategies for increasing women's representation did not include "gender quotas" for women; they focused instead on the idea of the equal presence of males and females in political office. Feminists advanced their argument by presenting the French notions of equality and the abstract individual as the root cause of women's underrepresentation, since the original definition of universalism had ignored

the female half of humanity. By *sexing* this abstract individual, in essence broadening and refining the definition to include the recognition that individuals are humans of both sexes, these feminists proposed reforming the constitution to explicitly distinguish the two sexes of the universal citizen (Scott 2005). Thus, while quotas implied special representation rights, parity simply called for the equitable sharing of power between both sexes, i.e. the constituent parts of the citizenry of individuals, as was originally intended by the spirit of French republicanism.

The low levels of female representation in France, in comparison to other European countries at the time, did bring attention to the systematic discrimination keeping women from political office in France. The French women's movement, well connected to the transnational women's movement particularly since the 1990s, capitalized on this awareness, keeping the issue in the French public's eye and enlisting support from many inter-European women's organizations. Thus, addressing this shortcoming became a matter of saving face for French politicians, particularly for the more successful socialist parties, which were presumed to stand for social justice. After the involvement of a number of political elites, particularly President Jacques Chirac (1995-2007) and Prime Minister Lionel Jospin (1997-2002), on June 6$^{th}$ 2000, the French Parity Law was eventually passed, though in a milder form than originally proposed by feminists. "To the disappointment of many parity advocates the law focused on the nomination of female candidates, rather than on the proportion of women elected, and made weak provisions for the elections to the National Assembly (Krook, Lovenduski, and Squires 2006, p. 211)." The particular provisions of this law led to unexpected implementations, as discussed in the implementation section below.

***Comparing Quota Adoption in France and Argentina:*** The quota debates in both France and Argentina emerged from the women's movements, led by key women's rights activists and legislators. Their efforts were a response to low levels of female representation that persisted despite democratic change. In both cases women were marginalized from the public sphere in the aftermath of their participation in mass democratic movements and revolutions, as male political elites continued to dominate a discourse framing politics as a male domain. The struggle for political equality has been much more complex in France, as a patriarchal perspective is deeply entrenched in the foundation of the French Revolution and its philosophy of "universalism". Ironically, while the French revolution has represented a turning point in the

equality of citizens and the promotion of democracy and social justice across Europe, French women have had the hardest time of all European women in obtaining equality, particularly in the political domain.

The introduction of gender quotas in both France and Argentina was presented as a practical solution to end women's exclusion, and in both cases was influenced by the experiences of other nations and supported by conferences and efforts of regional and international organizations. While Argentinean women were able to benefit from quotas for a brief period in the 1950s, French women had no parallel experience, as gender quotas have historically been opposed as contrary to French Republicanism and the ideal of universalism. However, both democracies felt it vital to address women's underrepresentation, though each took a different approach. The adoption of legislative quotas in France faced a unique obstacle in that France's constitutional provision of universalism ignored sexual (or any other type of) difference; in contrast, the Argentinean legal framework enabled the passage of measures such as quotas to advance the rights of a specific section of society. Thus, "political equality" had different connotations in each state: in France referring to an abstract ideal that in practice engendered unequal opportunity; in Argentina to a practical measure to support fair if not equal opportunity for women and men.

Ultimately, legislation mandating quotas was adopted in both cases due in large part to the efforts of a variety of actors – local, national and international women's movements, female legislators, and political elites. French and Argentinean party leaders played important roles in these legislative changes, primarily as a means of gaining popularity at a time when the majority of the populations supported the idea of state action to increase women's representation. Thus, both Menem of Argentina and Chirac in France were instrumental in the initial passage of a quota bill, though in neither case was the bill the same one originally proposed by the women's movements. However, as we discuss in the following section, both legal provisions were further reformed through trial-and-error and continuous pressure from women's groups.

## The Implementation of Quotas in Argentina and France

Contrary to expectation, France's strong legislation supporting gender parity failed to result in any significant increases in the percentage of female parliamentarians, while Argentina's 30 percent quota ultimately exceeded its goal.

The first Argentinean parliamentary elections after quota adoption, in 1993 increased female representation by almost 8% from 5.8 to 14.4 percent; in France female representation went up only 1.2%, from 11 percent in 1997 to 12.2 percent in 2002. The problem in France seems due primarily to poor implementation of the French Parity Law. Several factors are at play here, one of the most significant being the wording of the Parity Law, which is somewhat weak in terms of implementation; as well, the type of legislative quota adopted does not fit well with the French parliamentary electoral system. Both of these factors deserve further investigation, as they provide important lessons for activists working to implement gender quotas in other contexts.

Among the major obstacles that hindered the successful implementation of the Parity Law is the France's dual electoral system. Unlike Argentina's universal List PR electoral system, France uses the Two-Round System (TRS) for its presidential and parliamentary elections, and a List PR System for local elections and a portion of senate seats (Haase-Dubosc 1999). Hence, France uses two types of electoral systems for different elections. For the Senate seats, an electoral college elects some of its members while the rest are filled according to a List PR system. The Parity Law applies to the lists of both local and senate elections, in which parties are required to alternately list male and female candidates, also known as Zipper style. Below, we elaborate on the differences between Parity Law implementation at the local and national levels in France to illustrate how the fit between the electoral system and the Parity Law impacts its execution.

For France's parliamentary elections, under the TRS system, as discussed in chapter two, to win an election a candidate must accrue a predetermined percentage of total votes, for example 30 or 40%. This often means that candidates go through a second round of voting, if none reach the required quota in the first round. In France, the threshold is set at absolute majority – any candidate that receives more than half (50%+1) of the total number of votes in her/his single-member district is directly elected to parliament and no run off is necessary. If this condition is not met in the first round of voting, a run-off election is held among candidates that received at least 12.5 percent of the total casted votes in the first round. In the second round, the candidate that receives the highest votes is then elected to parliament, regardless of whether they receive an absolute majority. Thus, in French parliamentary elections, votes are cast in single-member districts for an individual candidate from candidate lists presented to the electorate by

the various parties, which already presents a disadvantage for women, as discussed in chapter two.

The Parity Law requires that for parliamentary elections, each party present 50 percent candidates of both sexes overall, but with no conditions regarding which districts female candidates should run for. This lack of specificity has resulted in party lists that typically nominate women for unwinnable districts, so that despite record numbers of female candidates (39 percent of the total candidates nominated by all parties in 2002, still less than the expected 50%), women's representation in the National Assembly increased only 1.2% from the previous election (Krook 2009, p. 198).

In addition to problems with the wording of the French Parity Law, it also lacked adequate sanctions for non-compliance, particularly for larger and more powerful parties. The law originally stated that parties that do not nominate at least 50 percent female candidates are subject to a negligible financial penalty, whereby the party only loses a small percentage of state funding that it receives. In 2007, after much lobbying and public awareness campaigning, the penalty amount for non-compliance was increased. However, this sanction still lacks real force as the larger parties do not depend on government financial support to the same extent as smaller parties (which more often abide by the parity requirement). Parties in France receive private as well as government funding and though larger parties get larger sums of government money (Jouan 2008), they are often both unwilling to sacrifice male incumbents in single-member districts, and have the financial resources to absorb losses in state funding. Thus, in the 2002 elections the two main rightist parties nominated fewer than 20 percent women, and compliance with gender thresholds varied drastically among parties, with the smaller parties generally respecting the law. Smaller parties did not have many incumbents to unseat, while also hoping to maximize the amount of state subsidy they could claim (Krook 2009, p. 197-198); the financial penalty proved a deterrent only for the smaller parties.

In the 2007 elections, the percentage of women in parliament rose from 12 to 18 percent for a number of reasons, including high pre-election involvement of women and a high female voter-turnout, which led to greater party interest in and responsiveness to the female constituency. During the campaign women pressured the political parties, mobilized in women's caucuses, and effectively shamed leftist parties spouting gender equality and social justice rhetoric to live up to their slogans. This resulted in

the voluntary commitments of mostly smaller parties to increase the female percentage of their elected members. In particular the smaller Green and PCF (French Communist Party) parties pledged to field 50 percent women candidates, while the large PS (Socialist Party) adopted a target of placing at least 30 percent women in winnable positions (defined as seats the party had won at some point in the last four elections) (Krook 2009, p. 200).

To further illustrate the shortcomings of implementing the Parity Law in parliamentary elections, we must compare parliamentary with local and senate elections. While the French two-round parliamentary electoral system faced a number of problems, local and senate elections, which use the List PR electoral system, produced opposite results. Under the Parity Law, for these elections parties are required to produce closed candidate lists with equal numbers of women and men, along with placement restrictions. The placement restrictions require either alternating between men and women on the party list (Zipper style), or nominating in any order three women and three men per group of six candidates. Voters vote for the party list rather than for individual candidates and seats are allocated in proportion to the votes each party receives, starting from the top of the candidate list and moving down. In case of noncompliance the party list is rejected. Strict regulation, in conjunction with the woman-friendly close List PR system, resulted in a 40% increase of women on local councils following the first elections after the passage of the Parity Law in 2000 (French Embassy 2007).

Following the 2010 local elections, women constituted 48 percent of local representatives nationwide. This unquestionably demonstrates how, barring legal and structural impediments, women can and will be elected to office, and proves that the languages of laws, along with sanctions for non-compliance, are crucial to the success of legislative quotas (Lejeune 2010).

In sum, legislative quotas, which carry the weight of law, are becoming more popular in recent decades in part because political elites are becoming, of necessity, more responsive to the demands of women's movements which have successfully popularized the requirement of gender equality for democratization. Women voters keep reminding politicians that it is time to close the gender gap or be voted out of office. Argentina was among the first countries in the world to adopt a legislative quota, and due to its quick successes became a role model for many other countries. After adopting legislative quotas in November 1991, Argentina achieved critical mass of women (30.7 percent) in parliament only a decade later. In France, however,

a series of factors, ranging from a historical legacy of patriarchal universalism, to the national level electoral system and weak legal regulations, made the implementation of its Parity Law at the National Assembly unsuccessful, though at the local level under a different electoral system women's representation increased significantly. Clearly, legislative quotas, the newest types of quota being used, are still in the trial-and-error phase, and, as illustrated above, must be subject to reform as their shortcomings are realized.

## Indonesia

Indonesia adopted legislative gender quotas in 2003. In contrast with Argentina and France, Indonesia's current political structure is still in the making. The country is undergoing major political and institutional reform to consolidate its democracy, since the protracted political upheaval which led to the resignation of President Suharto in 1998 and ended decades of dictatorship. In fact the first free parliamentary elections in Indonesia only took place in 1999, and its electoral system is still under evaluation and continual reform. Indonesia's gender quotas have also been subject to ongoing modification as the country's electoral system has also been changing. Nevertheless, Indonesia offers a good case study for analysis precisely because major institutional shifts provide valuable opportunities for quota advocates, particularly since many countries of the global south are also in the process of further democratization and reformulating state mechanisms. However, to understand the current quota situation in Indonesia, it is first necessary to analyze Indonesia's historical and political contexts in order to comprehend the trajectory of reform. This section will briefly introduce Indonesia's history, its political shifts, as well as the role of quota advocates in institutional reforms.

Indonesia, with a population of 242 million, is the world's most populous Muslim country and, similar to most states in the region the nation's history includes "Islamization", colonization, periods of authoritarianism, and recent democratization. Among Islamic societies, Indonesia is known for its moderate and liberal Muslim traditions, due in part to the spread of Islam through trade as opposed to occupation or force. Thus many Indonesians voluntarily converted to Islam, mixing and matching it with pre-existing cultural norms and practices. In this sense religion has been an aspect of Indonesian culture rather than a tool for domination by political conquerors.

Aside from its liberal culture, another significant feature of modern Indonesia is that the country had a woman president, Megawati Sukarnoputri,

from July 2001 to October 2004. Of course, Indonesia is not unique in this; contrary to common Western constructions of Islamic societies women have reached the highest political elected offices in Pakistan, Bangladesh, and Turkey.[4] However, despite having elected a female president, overall female political representation in Indonesia and some other Muslim nations has remained low. Currently, the women's movements, civil society organizations, and the transnational women's movement are working to address the low levels of female parliamentarians in these states, with varying rates of success. In Indonesia, the women's movement has lobbied political parties and the state to adopt gender quotas for parliamentary elections since the 1990s. Muslim women's organizations, as will be discussed below, have also been at the forefront of quota advocacy, contrary to Western notions that Muslim culture is necessarily incompatible with gender equality and female authority. The following section introduces Indonesia's political structure and electoral system, and examines the process of quota adoption and implementation and the pros and cons of the current gender quota system.

## The Historical Context

Indonesia gained full independence from Dutch and Japanese colonial rule in 1949. Although universal suffrage was established in 1945, it was not until 1999, after decades of political turmoil and repressive rule that Indonesia held its first free parliamentary election (Vickers 2005). A major blow to the stability and democratization of post-independence Indonesia was the brutal massacre of some half a million of its population, mostly intellectuals and nationalist elites, trade unionists, feminists and other social activists (Slater 2004). This massacre, which drastically hindered Indonesia's democratization and institutionalization process, occurred with support from the U.S. and the tacit agreement of other Western powers, who branded the victims as communist enemies of the state.[5] Of course these events negatively impacted the development of social justice discourse, including women's representation.

4. Some of the largest Muslim societies have elected female presidents or prime ministers. These include: Pakistan's Benazir Bhutto, Bangladesh's Sheikh Hasina and Khaleda Zia, Indonesia's Megawati Sukarnoputri, and Turkey's Tansu Çiller (Hoogensen and Solheim 2006).

5. Following the Chinese and Cuban revolutions, the CIA with an alliance of small elite who were controlling the economy, international trade, and powerful military leaders, brought about a coup against many nationalist governments from Latin America to Asia and launched brutal attacks on nationalist forces in the name of anti-communism. These policies left hundreds of thousands killed and interrupted social and political developments by continuing to support dictatorial regimes which would up-hold the interest of the US and other Western states (Vickers 2005, p. 163; Slater 2004; Cribb 2002).

The world was thus taken by surprise when, despite the dearth of women in formal politics, Indonesia elected a female president, Megawati Sukarnoputri, in 2001. In fact, although Indonesian women have been largely kept out of formal politics, they have always been present in the nation's political struggles, beginning with the nationalist movements of the 1950s (Parawansa 2005).[6] The paragraphs that follow will shed light on some of the shifts concerning women's political representation, the mobilization of women and the strategies that eventually led to the adoption of gender quotas.

In terms of the public sphere, Indonesian women have always had a presence in the politics of their communities, in part due to residual "matriarchal" traditions among many of its ethnic groups which persist despite Indonesia's conversion to Islam and centuries of colonization. After independence women were given a (limited) role in the public sphere; their presence in state structures such as the judiciary, police corps and other ministries deemed consistent with the modernist perspective of the 1950 constitution. Indonesian women took full advantage of their limited civil positions, pushing for women's increased public participation. Though their presence in parliament was minimal, Indonesian women mobilized to increase the numbers of potential female politicians. One of the women's movement's main strategies during the early days of the republic in the 1950s was to train potential female candidates about the state's political structure. During Indonesia's first general elections in 1955, along with grooming female candidates for office, women's organizations also formed alliances with various political parties, based on parties' agreements to include women's demands, such as the reform of marriage law, onto party platforms. However, despite efforts by feminist organizations and a high female voter turn-out, the 1955 elections resulted in only seven percent female parliamentarians. Although this outcome actually compared at the time favorably with many other states that had longer histories of democratic elections, it was disappointing for women activists, especially given that women voters made up more than 60 percent of the electorate.[7] Explanations

6. Political rights, electoral politics, and constitutional debates emerged as key political concerns in Indonesia in the 1950s as the new nation-state was being created. Women's involvement emerged through the equation of women's political rights with duty, and the nationalist concept of communitarianism which includes the full participation of women (Martyn 2004).

7. According to Elizabeth Martyn (2004, p. 115) "it is unclear how many women candidates stood in the 1955 elections but the regional experience of elections in Minahasa (14 June 1951) and Yogyakarta (27 August 1951) indicated there were relatively few. In Minahasa there were 34 women candidates out of a total of 577 (Wanita 1953, p. 301) and only 15 on the party lists in the Yogyakarta election (Susanto 1951, p. 408)."

for the low percentage of elected women included the placement of female candidates at the bottom of party lists by political parties, combined with the fact that most voters were illiterate at the time and simply selected the party of their choice by choosing the party symbol on the ballot (Martyn 2004, p.114). The conjunction of these two factors made the election of women candidates less likely. Literate voters (the minority) could however vote for individual candidates under Indonesia's open List PR system.

While the issue of women's political representation remained on the agenda of many women's rights activists in Indonesia, the women's movement began to prioritize other concerns, including rights in marriage, education, and inheritance. This was in part because pushing for female representation seemed somewhat pointless under Suharto's dictatorship,[8] and a focus on legal and social change to benefit women and build their social capacities seemed more strategic. During Suharto's "New Order" era, which lasted from the 1970s to 1998, his party dominated in all general elections, and a seat in parliament could be obtained by making a payment to party leaders or government officials (Sherlock 2009). Women's representation was determined by the party's national-level elites, which in turn made their presence in parliament fluctuate throughout Suharto's rule, peaking at only 13 percent in 1987 (still higher than either France or the U.S. at the time) (Parawansa 2005).

Ironically, while women parliamentarians were relatively few and ineffective during Suharto's dictatorial rule, shortly after his fall in 1998, a woman replaced him and led the country in its transition towards democracy. Megawati Sukarnoputri came to power in July 2001. The daughter of former President Sukarno, who led Indonesia to post-colonial independence, Megawati joined the opposition Indonesian Democratic Party-Struggle in 1987. She soon became a symbol of popular resistance and thus a major threat to Suharto, who in 1996 used violence to try to remove her as leader of the Indonesian Democratic Party-Struggle; this incident provoked demonstrations in the capital in her support, and transformed Megawati into a national hero. Subsequently, in the country's first free parliamentary elections in 1999, her party won the most votes. While the election proved that the public supported Megawati and clearly mandated her leadership, the party elite remained unconvinced that a woman should hold presidency; they

8. Suharto became the second president of Indonesia after the country's founding president Sukarno was removed from office in 1967. Suharto ruled for 32 years, and 'resigned' from power in 1998 due to mass public protest.

hesitated to appoint her President, and instead chose Abdurrahman Wahid, with Megawati as Vice President. However, Wahid was dismissed for incompetence and corruption in 2001 and Megawati assumed the Presidency, an unambiguous illustration of the reality that, contrary to the common claim of male political elites, the public is generally more willing to accept women leaders than are male elites themselves.

Megawati led the country towards democratization during the "Reformasi" Era, holding legitimate elections for the first time since Indonesian independence.[9] The emerging democratic environment encouraged the Indonesian women's movement to turn some attention back to the issue of low female representation. Those activists and politicians that emphasized the gender aspect of democratic discourse advocated for gender parity in politics and argued that though male politicians can certainly support women's causes, women's interests cannot be adequately represented without sufficient female policy and decision-makers. Women's organizations, such as Partai Wanita Rakjat (Women's People's Party), framing democracy in terms of equal rights and opportunities in all spheres – political, economic, social and cultural – called for women's access to parliament and state institutions. Although the Indonesian women's movement faced many obstacles, including ever changing cabinets and religious and ideological divisions among feminist leaders, they continued to lobby on the basis of the equal citizenship provision of the Indonesian constitution. Addressing the reality that rights in law do not necessarily translate to rights in practice, the women's movement focused on the implementation of equality laws (Martyn 2004), and began pushing for legally mandated gender quotas.[10]

## Adoption of Quotas in Indonesia

The successful adoption of quotas in Indonesia is credited to the country's ongoing democratic consolidation, which has resulted in a strong civil society dominated by Muslim democrats, the values of democratization and inclusiveness, and a respect for cultural pluralism (Hefner 2000). Within this

9. The first general elections of the reform era, held in 1999, saw the election of 8.8 percent women in parliament, rising to 11.3 percent in 2004 (Parawansa 2005). General elections in Indonesia are held every five years.

10. President Megawati, aware of the male political elites' resistance, made a statement that fighting for gender quotas would rock the boat and adversely affect women's gains (Mar'iyah 2003). This rhetoric was however ineffective in dampening mass mobilization by the women's movement, and, as we discuss below, legislative quotas were eventually adopted in 2003.

vibrant civil society context, the Indonesian women's movement advocated for parliamentary quota adoption, securing the support of many political elites and other Civil Society Organizations (CSOs) which played important roles in the formation of the new political structure. Having tackled a myriad of gender issues such as polygamy, female education, and family law reform over decades of activity, starting in 1998, the Indonesian women's movement increasingly prioritized women's political presence. The increasingly democratic environment enabled open public discussion on issues of citizenship and democracy, and on gender equality, and the women's movement successfully politicized women's political presence as a "basic human right" (Mar'iyah 2003). Never-the-less, efforts to increase the percentage of female parliamentarians have encountered many obstacles, particularly a shortage of women wanting to enter politics, and women's low societal status due to limited access to socio-economic resources that support political aspirations.

As a key actor in Indonesian civil society and the democratization process, the Indonesian women's movement(s) was well prepared for the opportunities that the democratic transition presented. Through collaboration among women's organizations, intense government lobbying, and the forming of coalitions with political parties and their women's sections, the women's movement achieved many of its goals in the early years of the reform era. For instance, not only did Indonesia sign the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) in 2000, it also began debates on electoral system reform and gender quota adoption. Other key actors in gender quota advocacy included civil society (women's) organizations, journalists, academics, political parties, and parliamentarians. The women's organizations included both Muslim and secular organizations.[11] Indonesian quota supporters thus united across religious as well as party lines, though <u>not</u> across gender lines (at least within the political sphere); while almost all women activists and politicians joined forces to promote quotas, only a few male members reluctantly gave their support while the majority were in opposition. The central argument of the quota opponents was meritocratic – that qualifications should always take precedence over sex in candidate selection. It was also argued that there were simply not enough qualified women to run (Bylesjoe and Seda 2006).

11. According to Cecilia Bylesjoe and Francisia Seda, major Muslim women's organizations such as the Muslimat, Fatayat, and Aisyiah were deeply involved in the work to adopt quotas. In this regard, it can be argued that Islamic feminists considered women's access to politics compatible with Islam. The only oppositional forces were the small and more hard-line Muslim political parties and the military faction of the national parliament (2006, p. 260).

The movement for gender quotas strengthened as the General Election Law was being reformulated by the new parliament between 1999 and 2003. There were disagreements among quota supporters, mostly over technical specifications, including over the quota percentage (20 to 30 percent), the timing of quota introduction, and the electoral and list systems. But as the passing of the General Election Law drew closer the women's movement became more cohesive, ultimately united in its demand for a legislative quota of 30 percent women candidates on political party lists to be introduced for the 2004 election, using open lists under a PR electoral system (Bylesjoe and Seda 2006). Their efforts succeeded when the new General Election Law 12/2003 including Article 65(1) was passed in February 2003, which included a "soft quota" or a non-binding gender quota. This new provision recommended that parties "bear in their hearts" the desirability of nominating at least 30 percent women to their candidate lists in each electoral district at all levels (national, provincial, and district), but had no enforcement provisions (Parawansa 2005). Districts in Indonesia are multi-member, and parties get elected in proportion to the votes that they receive in each district; hence, multiple parties compete for seats in each electoral district. Thus the parties were recommended (and later required) to nominate at least **30 percent female candidates in each district**, rather than their overall nomination of female candidates across all districts.

***The Shift from Closed to Open List Electoral System:*** Other important reforms adopted for the 2004 general elections – Indonesia's second legislative elections since the fall of Suharto's authoritarian regime – included changes to the state's election laws. These included a key move from a closed list system to an open list system, allowing voters to select a preferred candidate, but only in conjunction with a vote for the party (their vote was invalid if they only chose a candidate). In other words, voters first voted for their party of choice and then, and if they wished, one candidate from that party (Sherlock and Fealy 2009).[12]

The change from a closed to an open list system came about due to widespread criticism of the closed list system used in the 1999 election, where party leaders determined which candidates received seats in parliament

12. For a preferred candidate to win a seat, he/she needed to reach a predetermined quota, which was calculated dividing the total number of valid votes cast in a district by the district magnitude (the number of seats per district), or simply: [total district vote/district magnitude]. Since the highest number of seats in a given district for the 2004 election was 12, and many parties competed in one district, reaching the quota by an individual was very difficult. For instance, if the total valid votes cast in a 10 seat district was 20,000, then an individual candidate needed at least 2000 votes to be directly elected into parliament [20,000/10 = 2000].

(according to the placement of candidates on party lists). In a closed list system, elected MPs tend to prioritize allegiance to their party over their constituencies, as the party leadership played a key role in helping them be elected. The women's movement welcomed the change to an open list system, which improved female candidates' chances for election, regardless of where they were placed on the list. However, activists were not hopeful that open lists would sufficiently address women's underrepresentation, given the high level of illiteracy among the electorate and the complex nature of the provision. The 2003 electoral laws also created a National Election Commission (KPU), responsible for organizing and monitoring elections and ensuring abidance by the new provisions (Sherlock and Fealy 2009).

Article 65(1) was Indonesia's first attempt at a gender quota. Although the quota provision was weak, it was nonetheless considered a great accomplishment by the women's movement, and proof that the movement's hard work, extended networking and collaboration with different groups had paid off. It also provided hope that continuing efforts would ultimately result in a stronger, viable legislative quota (Bylesjoe and Seda 2006). Indeed this proved true; in 2008 Indonesia adopted a legislative gender quota, though it did not go unchallenged, as discussed in the next section.

***Implementation of Quotas in Indonesia: From a Soft to the Real Quota:*** After the passage of law 12/2003, nation-wide capacity building and training programs were launched by major civil society organizations (CSOs) working in co-operation with a number of political parties. Much effort was made to produce qualified female candidates for the 2004 elections. To cover as much of the country as possible in the one year remaining before elections, organizations coordinated their activities according to theme and geography. Workshops were organized on a massive scale to train potential female candidates, educate the populace about the Indonesian political/electoral system, prepare women to perform as elected MPs, and to educate the public on the importance of quotas and female representation. The organizations involved also started working with international organizations, further enhancing the resources and strategies of the movement.[13] Simultaneous to the mass education and trainings, the women's movement politicized the parties' responsibility to nominate women and continuously lobbied the parties to implement the quota (Bylesjoe and Seda 2006).

13. The assistance of the international organizations to the civil society organizations (CSOs) in training potential female candidates was questioned by quota opponents, "who criticized the local movement for bringing 'foreign' ideas to the Indonesian political agenda" (Bylesjoe and Seda 2006, p. 262).

However, the first general elections following the adoption of the 2003 soft-quota did not see a major increase in the percentage of female MPs. The 2004 election resulted in only 11 percent female legislators in the House of Representatives (DPR), up slightly from 8.2 percent in the 1999 elections. Examining the implementation of the 2003 voluntary gender quota reveals a number of interesting factors. To most observers' astonishment, a majority of the political parties did nominate at least 30 percent female candidates in the 2004 elections, though not in *every* district list as the provision had recommended. Of 7,756 total candidates competing for 550 seats in the House of Representatives, 32.3 percent were female. Of 24 parties competing in 69 districts in an open list electoral system, only 8 did not fulfill the voluntary 30% quota for female candidates, and even these came close. Yet despite the overwhelming compliance with the quota and the massive training and education program spearheaded by the women's movement, the 2003 quota failed for three main reasons.

First, since the quota did not impose any ranking requirements, female candidates were generally positioned towards the bottom of the lists. Despite the fact that party lists were now "open" and voters could select any candidate, this still worked against women candidates, given the illiteracy of the electorate. Only 9.7 percent of all party lists ranked women in the first position and 16.8 percent ranked them second. (It is argued that parties merely nominated women to appeal to women voters rather than to sincerely increase women's representation). Secondly, the low ranking of women by the two largest parties, which received the most votes, particularly impacted the situation. The Golkar party, which won 43 percent of the seats in parliament, placed women either first or second on its lists in only 20.1 percent of districts. Third, since the quota was only a recommendation, it lacked sanctions for non-compliance; at the same time its wording was unclear and hence misinterpreted by a majority of the parties. Although the provision recommended 30% female candidates on all party lists for *each* district, for the most part parties interpreted it to mean nominating 30% female candidates in total, across all districts, and this further weakened the impact of the quota (Bylesjoe and Seda 2006).

The failure of the 2004 elections to produce a satisfactory percentage of female representatives spurred the women's movement to demand a stronger gender quota with a binding rank order provision. In preparation for the 2009 elections, a coalition of women's activists and politicians lobbied for further legal provisions for party nominations, as parties are often

the main gatekeepers barring women from political access. Thus, the coalition demanded a legislative quota based on the principles of democracy and equality contained in the original 1945 Indonesian constitution.

In 2008, parliament adopted Law 10/2008 requiring all political parties to nominate 30 percent women candidates on *all* party lists. To further strengthen the implementation of the quota, Article 55 of Law 10/2008 included a rank order rule, the so-called Zipper system (in practice Semi-Zipper),[14] whereby parties were required to include at least one woman among every three candidates throughout the party list (Suryakusuma 2009). Additionally, Article 214 10/2008 allowed for semi-closed candidate lists, to assist with the implementation of the Semi-Zipper system and to guarantee the election of one-third female representatives (International IDEA and Stockholm University 2010). The law did this by addressing how votes should be translated into seats, stating that "the allocation of legislative seats for a political party is based on the number of votes won in electoral districts, with the priority given to candidates who win 30 percent of the minimum votes required to secure a legislative seat" (Article 214 10/2008). According to this Article, party lists are both open and closed: open in the sense that voters select individual candidates as well as the party, with candidates who meet the 30%+ quota directly elected into parliament, and closed in the sense that the remaining seats won by each party are allocated according to ranking of candidates on party lists, where every third candidate is female. Law 10/2008, which transformed a voluntary recommendation into the first real legislative quota with a rank order rule, was considered a great victory by the women's movement. However, the lack of sanctions for non-compliance did compromise its implementation; the National Election Commission was simply required to publish informing the public of the percentage of women nominated on each party list, and the KPU published no information concerning parties' compliance with the ranking rule (Sherlock 2009).

***The Constitutional Court Challenges:*** Unfortunately the victory was short-lived; in December of 2008, only a few months after the quota law passed, the Constitutional Court declared Article 214 of Law No. 10/2008 allocating remaining seats according to party ranking, unconstitutional in response to a petition filed by two male candidates and four political parties opposed to the

14. Zipper system generally refers to alternating male and female candidates on a list, however in the case of Indonesia, the required placement of a woman for every third place along the list is also at times referred to as a zipper system, though calling it a semi-zipper style is more accurate.

gender quota. The petition argued that any seat allocation by a party rather than by the electorate was unconstitutional and undemocratic (Suryakusuma 2009), and that "instead of a candidate's position on the list (which, in most cases, is the result of intra-party political bargaining), the actual number of votes should be the single determinant on who the representatives of the people should be (Ardani and Kanadi 2009)." Similar to France, male politicians objected to a provision of the electoral system that had raised no opposition until the introduction of the gender quota. Male members of the Indonesian political elite who had little objection to the party list prior to the gender quota suddenly declared the closed list undemocratic. The court's ruling abolished the candidate ranking rule, rendering the Semi-Zipper style listing a female as every third candidate ineffective, since seats were now all allocated according the number of votes a candidate received.

The ruling to annul Article 214 was actually applauded by many observers both within and outside the country as a significant step towards further democratization of Indonesia electoral politics; the direct election of representatives by voters is understood to increase parliamentarians' accountability to constituents, a matter of widespread concern in Indonesian politics. The ruling meant increased competition among candidates within a party and encouraged them to campaign on their own behalf, rather than depending on the party and its platform. However, the Indonesian women's movement considered the ruling undemocratic as it removed a law which sought to create a level playing field in politics for Indonesian women, who saw their opportunities to serve as MPs diminished (Ardani and Kanadi 2009).

Of the nine Constitutional Court judges, the sole female, Judge Maria Farida Indrati, dissented, arguing that women's equality is a constitutional right and reiterating the importance of a parliamentary gender quota to help achieve this constitutional requirement in the political arena (Suryakusuma 2009).[15] In her dissenting statement, Judge Indrati pointed to a very important contradiction in the Court's decision. The petitioners had questioned the constitutionality of both Articles 55 (which said that one in three candidates should be women) and 214 (which allowed partial seat allocation according to party rankings). The petitioners argued that the 30% quota undermined

15. Judge Maria Farida Indrati defended gender quotas based on the four widely-known arguments: women are half of the population (the justice argument); women have different experiences to men (the experience argument); women's interests cannot be represented by men due to some inherent conflicts of interest (the interest group argument); and women politicians provide important role models for other women (Suryakusuma 2009).

the electorate's freedom of choice by privileging women to the disadvantage of potentially more qualified male candidates. While the court declared the affirmative action measures codified in Article 55 were in accordance with the 1945 Constitution (which advocated gender equality), as well as with Indonesia's commitment to assist women in the political process as party to both the International Covenant on Civil and Political Rights (ICCPR) and CEDAW, it ruled that Article 214 was unconstitutional, undermining individual sovereignty, universal equal rights, and freedom of expression and association (Sri Adhiati 2009). According to Judge Indrati, her colleagues were gravely misguided in keeping one provision while striking the other, since the affirmative action measure of Law 10/2008 is only effective with both provisions (Suryakusuma 2009).

***The Result of the 2009 Parliamentary Elections:*** Indonesia's path towards democracy has included several significant and sometimes controversial modifications and revisions to the electoral system, particularly with regards to the rules adopted for the 2009 elections. The result is a complex system that has caused much confusion among the electorate. This, in conjunction with high illiteracy and the partial reversal of the quota provision, negatively impacted the election of female candidates on April 9$^{th}$ 2009. Indonesia's electoral system is considered by political scientists to be among the most complex in the world; the fine points are still in the process of being hammered out, through the courts and through reforms advocated by activists and politicians. For the 2009 elections significant changes included: raising the number of seats in parliament from 550 to 560; increasing the number of parties competing from 24 to 38 (and establishing a minimum threshold of 2.5% of the national vote for a party to win a seat); and increasing the number of electoral districts to 77 from 69 (thus shrinking the district magnitude).

These reforms resulted in a more competitive parliamentary race mostly because the rise in the number of districts and the simultaneous shrinkage of each district size meant that each party needed a higher amount of votes to win seats in a district. In other words, due to the Constitutional Court ruling that parties cannot rank women on their lists, only known parties and candidates have a good chance of receiving votes, while women who rarely have sufficient funds to campaign on behalf of themselves are greatly disadvantaged. Additionally, increasing the number of parties from 24 to 38 and allowing parties with as little as 2.5% threshold of votes to win a seat,

Table 5.1 The Indonesian electoral system post Suharto

| Election Year | % ♀ | Electoral System and List type | Quota Provision |
|---|---|---|---|
| 1999 | 8.8% | *PR Closed List System*: Voters chose between parties; parties allocated seats in proportion to votes received in each district. Little accountability of parliamentarians to constituents. | No Quota |
| **Election Year** | **% ♀** | **Electoral System and List type** | **Quota Provision** |
| 2004 | 11.3% | *PR Open List System*: Voters voted for a party and, if they chose, for a candidate as well. Votes were invalid if a party was not selected along with an individual candidate. Candidates had to reach quota (total district vote/district magnitude) to win a seat through preference votes.<br>Very few individual candidates reached the threshold required for directly winning a seat, since few voters marked their ballots for individual candidates, thus preference voting did not disrupt most party lists. | *General Election Law 12/2003*-Voluntary 30% female quota for party lists, but without rank order rules. |
| 2009 | 18.0% | *PR "Half-Open" List System (Initially)*: Based on legislation passed in 2008 in preparation for the 2009 election, voters were to vote for a party *or* an individual candidate. Candidates meeting the minimum threshold (see 2004 above) were directly elected to parliament; remaining seats were allocated according to party list ranking, which was to include a Semi-Zipper (at least one woman among every three candidates) style quota.<br>However, the Constitutional Court annulled the regulation pertaining to allocation of seats according to (the Zipper style) party ranking, deeming seats must be allocated solely on the basis of numbers of votes.<br>*PR Open List Systems (as of end of 2010)*: Accordingly, voters select individual candidates from party lists. The candidates with the most votes win seats. Voters are still allowed to only vote for a party, but these votes count towards the total number of seats for the party. Thus, the party-only votes determine the number of seats a party receives, and have no bearing on how seats are allocated. | *General Election Law 10/2008*: Article 55: Mandatory 30% quota of women candidates on party lists, ranked according to a Semi-Zipper style.<br>*Sanctions for non-compliance*: According to Articles 53 and 66 of Law 10/2008, the National Election Commission (KPU) must verify whether party lists comply with the 30% quota of female candidates.<br>However, apart from publishing all party lists to be scrutinized by the electorate, no sanctions result for parties not meeting the quota or the initial Semi-Zipper style ranking rule (1 in 3 candidates a female). |

*Sources*: Constructed from data in (Parawansa 2005; Sherlock 2009).

drastically amplifies party competition, as none are willing to "risk" women's nominations. Trying to safeguard and increase votes, many parties nominated well-known, high-profile politicians or celebrities, making it almost impossible for little-known female candidates to compete. The number of celebrities (performing artists, athletes, relatives of high-profile politicians, and the like) on party lists quadrupled for the 2009 elections; though most of the celebrity candidates were politically inexperienced they drew many votes (Soeriaatmadja 2009). This phenomenon actually did support the election of some female representatives in 2009, a few of whom actually won seats from male incumbents (Adjusuf 2009). For instance, Ratu Hemas, a sultan's wife, won in the district where her husband is governor.[16] Although this is not unlike some developments in the United States, usage of celebrity candidates has made Indonesia's political scene even more complex and raises new issues for the women's movement.

Similar to the 2004 elections, 30 percent of candidates in 2009 were women. In all, 18% of the seats in the legislature were won by women, increasing from 11.3% in 2004. As in the previous elections, most parties disregarded the requirement of 30% female candidates per list in each district, and simply nominated 30 percent women candidates in total across the nation. Thus, it is possible that women candidates were placed on lists in districts their parties considered unwinnable, therefore rendering the quota ineffective. The lack of real sanctions for non-compliance with the 30% quota also weakened the provision, and in fact the National Election Commission (KPU) chose ***not*** to publish the lists highlighting which parties had not complied, deciding that the law was too vague on this matter (Sherlock 2009).

Overall, Indonesia's legislative quota has positive and negative aspects. The implementation of the quota has not increased the percentage of female parliamentarians to the extent that was expected (an increase from 11.3% in 2004 to only 18% in 2009). The success of gender quotas is a function of three primary factors: how well the quota provision fits with existing institutional frameworks, such as electoral systems; the precision, clarity and detail of the quota provision; and lastly, whether key actors and political elites

16. The Jakarta Post. "Record Number of Female Legislators Elected into the House," May 27 2009: sec National, available from http://www.thejakartapost.com/news/2009/05/27/record-number-female-legislators-elected-house.html. And The Jakarta Post. "Sultan's Wife Wins Most Votes, Secures DPD Seat," April 23 2009: sec National, available from http://www.thejakartapost.com/news/2009/04/23/sultan039s-wife-wins-most-votes-secures-dpd-seat.html

are supportive of or oppositional to the gender quota (Matland 2006). In the Indonesian case, the quotas legislated in Election Laws 10/2008 were originally designed to fit the state's electoral system. Having learned from previous mistakes that parties tend to nominate women in unwinnable positions/districts, quota advocates lobbied for and won a Semi-Zipper style ranking rule to ensure that at least 1/3 of the 30% women candidates in all districts were in relatively winnable positions. This provision fit the List PR electoral system, however, it required support from at least a partially closed list, which quota advocates recommended. This was a highly sensitive issue due to a history of corruption concerning candidate rankings (for instance, individuals buying positions on the list from party leaders). However, when the Constitutional Court declared it illegal for political parties to have any candidate ranking power (as in ranking women in every third position on the lists), it weakened the potential of increasing the number of female parliamentarians. Hence, the new ruling undermined the intent of the wording of the Semi-Zipper style ranking rule; despite the listing of a woman every third candidate, seat allocation had no relation to list ranking. In addition to this huge shortcoming, the wording of the original quota lacked the degree of detail necessary to avoid misinterpretation. Not only were sanctions for non-compliance weak to non-existent, the requirement that the quota apply to every list in every district was overlooked or misinterpreted by most parties and the National Election Commission (KPU), which instead applied the provision to the total number of candidates per party across the nation. Lastly, most political parties had little commitment to, or support for the implementation of the quota, and neither did the majority of the judges of the Constitutional Court, the political elites, and institutions such as the National Election Commission (KPU). This increased the burden on the women's movement/quota advocates, who had to simultaneously train potential candidates, fight court battles and try to elicit support from both voters and political elites. The situation illustrates the extent of patriarchal domination in Indonesian politics.

## Conclusion

Though fairly new, legislative party quotas are increasingly used, especially in emerging democracies. Many such countries are still in the process of fine-tuning the details in terms of the best implementable gender quota. Argentina, one of the first countries in the world to adopt a legislative gender quota, has undergone various electoral reforms related to the quota

and has achieved great success in electing women to parliament. In the current context of global diffusion, quota advocates are increasingly able to look to processes such as Argentina's in their own quests to improve female representation in their states. In France and Indonesia women activists are still in the midst of figuring out the best strategies for achieving a successful quota system. In every effective implementation effort, quota advocates and political elites must pay attention to three essential elements.

It is the responsibility of quota advocates to lobby for a legislative quota system that matches existing state structures, while avoiding undue complexity. France's legislative quotas were not a good match with the majoritarian Two Round System, where women were seen by parties as "risk" candidates. In Indonesia, while the quota provision was designed as a perfect fit with the existing List PR system, key elements were ultimately struck down, as male political elites used the constitutional court to argue that a closed or semi-closed list violated an essential philosophy of the constitution. The court ruling made direct election the main option for Indonesia's electoral system and eliminated the control of political parties over any seat allocation, rendering the gender quota as it was designed ineffective. This is a clear reminder to gender quota advocates that besides being well versed concerning political and historical context, and political party structure and ideology, they must also have clear understanding of the constitution and its founding philosophy, around which their discourse must be built. This was also the case for French feminists, who used constitutional ideals supporting gender parity and citizenship to promote women's formal political participation.

The wording of the actual quota provision, including clear, strong sanctions for non-compliance, is also key. Legislative quotas lacking these are, for all intents and purposes, ineffective. Without strong, legally binding language the commitment of the state and political elites to gender equality or women's political empowerment, often emerges as superficial and without substance. As discussed, both France and Indonesia lacked effective sanctions for non-compliance; French law imposing a very minor financial penalty and Indonesia's simply "shaming" parties through public disclosure. Conversely, Argentina simply bars non-compliant parties from running for election.

Finally, quota advocates must carefully asses the role and impact of key political actors during the process of quota adoption and implementation, and form alliances with key actors who are able to impact policy. While in

both France and Argentina there has been strong co-operation between the women's movement and political parties (or their women's sections), this is not really the case in Indonesia, despite the considerable efforts of the Indonesian women's movement. It can be argued that Indonesian political parties might have been more responsive to gender quotas if the women's movement had been more successful in its campaigns to bring political parties and other key actors on board in terms of recognizing the importance of female politicians to democratization and social justice. Such collaboration could have prevented the court ruling that resulted from opposition by politicians, which rendered the quota ineffective. As a result, successful legislative quota adoption as well as implementation requires careful attention to various details, similar to other forms of quotas.

# Chapter 6

# Reserved Seats Quotas: Bangladesh and Rwanda

## Country Profiles: Bangladesh and Rwanda

### Country Profile: Bangladesh

***Geographical location:*** Southern Asia

***Population:*** 156 million (July 2010)

***Majority religions:*** Muslim 89.5%; Hindu 9.6%

***Major historical developments:*** In 1947 West Pakistan and East Bengal (both primarily Muslim) separated from British India and jointly became the new country of Pakistan in 1955 although they were separated by 1,600 km. This awkward arrangement did not work and after the bloody Liberation War in 1971 East Pakistan became independent and was renamed Bangladesh. The 1971 Bangladesh Liberation War came at great human cost, with Bengali women especially victimized by devastating war crimes including systematic rape and murder perpetuated as a military tactic by the Pakistani Army. Needless to say, these atrocities negatively impacted the initial foundations of the Bangladeshi state and the emergence of its civil society. Since 1971 Bangladesh has experienced ongoing political instability, ranging from military takeovers to one-party rules and multiple suspensions of its parliament. Although women have the right to vote, the presence of women in significant state decision-making positions has been limited. Ironically, since 1991 two women, Khaleda Zia of the Bangladesh Nationalist Party (1991-1996 & 2001-2006) and Sheikh Hasina of Awami League (1996-2001 & 2008 to present) have held the elected position of Prime Minister.

***Human Development Index (HDI) ranking:*** In 2010, Bangladesh ranked #129 out of a total of 169 countries measured worldwide.

***Political system:*** Bangladesh operates as a parliamentary democracy, and has a multi-party system, though the two parties of Awami League and Bangladesh Nationalist Party tend to dominate elections, while the remaining parties receive very little votes.

***Parliamentary system:*** Unicameral National Parliament or *Jatiya Sangsad*; members are elected by popular vote from single territorial constituencies

to serve five-year terms. From 345 total seats, 45 are reserved for women (13%) to be filled by parties in proportion to their overall share of the vote.

***Electoral system for parliamentary elections:*** Bangladesh uses the First Past the Post (FPTP) system in which the candidate with the most votes wins in the single-member districts. This is the simplest form of majoritarian/plurality system.

***Quota type:*** Reserved Seats adopted in 1972 (at the time the Bangladeshi Constitution was first drafted), in which 45 of 345 (13%) parliamentary seats are reserved for women, to be allocated to parties in proportion to their overall share of the votes.

***Female suffrage and standing for election:*** In 1947, when Pakistan (both West and East) split from British India, women and men received the right to vote. Subsequently when East Pakistan (now Bangladesh) gained its independence, suffrage for both genders was confirmed in the 1972 constitution.

***Voter-turnout for previous parliamentary elections:*** 85.26% (2008); information for voter-turnout by gender is not readily available.

***Women in the parliament (2008 Elections):*** 64 women from a total of 345 members (18.5% women); these 64 women include the 45 women who were selected by political parties to fill the reserved seats in proportion to their overall share of the votes, as well as 19 women who were directly elected into the general seats on their own terms. The 2008 parliamentary elections saw an increase of more than 50% in the number of female parliamentarians more than any previous election.

## Country Profile: Rwanda

***Geographical location:*** Central Africa

***Population:*** 11 million (July 2010)

***Ethnic groups:*** Hutu 84%; Tutsi 15%

***Majority religions:*** Roman Catholic 56.5%; Protestant 26%; Adventist 11.1%; Muslim 4.6%

***Major historical developments:*** In 1959, three years before independence from Belgium in 1962, the majority ethnic group, the Hutus, overthrew the ruling Tutsi king. Over the next several years, thousands of Tutsis were killed, and some 150,000 driven into exile in neighboring countries. The children of these exiles later formed a rebel group, the Rwandan Patriotic Front (RPF), and began a civil war in 1990. The war, along with several political and economic upheavals, exacerbated ethnic tensions, culminating in April 1994 in the genocide of roughly 800,000 Tutsis and moderate Hutus. The Tutsi rebels defeated the Hutu regime and ended the killing in July 1994, but approximately 2 million Hutu refugees – many fearing Tutsi retribution – fled to neighboring countries. Since then, most of the refugees have returned to Rwanda, but several thousand remained in the neighboring Democratic Republic of the Congo (DRC). Rwanda's post-conflict reconstruction efforts brought about women's active and continued involvement in society and politics. Women insured that the transitional government adopts strategies that **guarantee** women's long-term presence in political decision-making. Rwanda held its first local elections in 1999 and its first post-genocide presidential and legislative elections in 2003.

***Human Development Index (HDI) ranking:*** In 2010, Rwanda ranked #152 out of a total of 169 countries measured worldwide.

***Political system:*** Rwanda operates as a Republic, and the president serves as the chief of state and is elected by popular vote for seven-year terms. Rwanda is also technically a multi-party system, in which numerous parties are to compete in the elections, however, since 2003, the Rwandan Patriotic Front (RPF) has been securing majority of the parliamentary votes;

parties must reach the minimum 5% threshold of the popular vote to gain seats in the Chamber of Deputies.

***Parliamentary system:*** Bicameral parliament consists of Senate (upper house) and Chamber of Deputies (lower house). The Senate members are mostly appointed by other political elites to serve eight-year terms. Within the Chamber of Deputies, 53 members are elected by popular vote, 24 women are elected by local bodies, and 3 are selected by youth and disability organizations; all members are to serve five-year terms.

***Electoral system for parliamentary elections:*** Rwanda uses List Proportional Representation (List PR) system in which seats in the parliament are distributed to candidates or parties in proportion to the votes that they receive in the multi-member districts.

***Quota type:*** Reserved Seats adopted in 2003. The 2003 Rwandan constitution reserves 24 from 80 total parliamentary seats for women. These reserved seats are filled by Rwanda women's councils, who elect two women from each province and from the city of Kigali from women only ballots.

***Female suffrage and standing for election:*** Rwandan women and men were franchised in 1961, upon independence from colonial rule.

***Voter-turnout for previous parliamentary elections:*** 98.5% (2008); information for voter-turnout by gender is not readily available.

***Women in the parliament (2008 Elections):*** 45 women from a total of 80 members (56.3% women, first country in the world with female majority parliamentary representation). 24 women were elected by women's councils to fill the reserved seats, while 21 women were directly elected into the general seats on their own terms.

# Reserved Seats Quotas: Bangladesh and Rwanda

*"Our president knew that if Rwanda was going to succeed (from its civil war and genocide), the women were going to be the anchor, and the force behind the national processes of this country."*

Aloisea Inyumba

These are the words of Aloisea Inyumba, a senator in Rwanda's Parliament often referred to as the "mother of the country" for her efforts to rebuild post-genocide Rwanda (Hinojosa 2008). In 1994, in the aftermath of the Rwandan genocide, Senator Inyumba commissioned Rwanda's Unity and Reconciliation Commission to promote reconciliation between Hutus and Tutsis.[1] She also became the first Minister of Family, Gender, and Social Affairs, during which time she, with support from other Rwandan women, oversaw the burial of the dead, the resettlement of refugees, and a national adoption campaign which placed almost all of the half million genocide orphans in Rwanda with adoptive families (Institute for Inclusive Security 2009). Senator Inyumba's story is echoed around the globe, in other regions facing reconstruction in the aftermath of extreme despair and crisis. Similarly, women in Bangladesh played a key role in post-conflict reconstruction of their newly founded state after its brutal separation from Pakistan in December 1971. After the Pakistani army went on a rampage, killing thousands of civilians and raping tens of thousands of women in Bangladesh, perhaps more, in order to intimidate the nationalists and their supporters, it was women who rose to the challenge of reconstructing post-separation Bangladesh, attending to the victims and addressing poverty and underdevelopment (Bose 2005).

In the aftermath of conflict or natural disaster, we often witness the remarkable presence of women in the public sphere working to rebuild lives and societies, to empower women to access arenas previously denied them,

1. For more details on hostilities between Hutus and Tutsis in Rwanda see (Mamdani 2001; Mamdani 1996; Gourevitch 1998; Magnarella 2001).

and to change cultural and societal assumptions concerning women's roles (Paxton 2007; Ballington and Dahlerup 2006). Yet, such female public presence is often temporary, and eventually reverses once the acute phase of post-crisis nation-building passes. This is similar to what happened post World War II, when women were again relegated to the private sphere, after working in factories and industries during the war. To counter this erasure of women in the public sphere, a strategy of feminists and women's rights activists is the adoption of various forms of gender quotas for state decision-making positions, in order to achieve a critical mass of women in key public positions.

Today, women's movements, the international community, and even political elites are pressing for measures to encourage and maintain women's public presence, particularly in legislative and decision-making positions. Some argue that women "bring something unique to the table". Those adhering to this argument believe that these "unique" qualities include women's more nurturing character, their lesser susceptibility to corruption, and their proclivity to maintain peace. However most feminists argue that such qualities and skills are a result of gender socialization, not any inherent female nature (Sapiro 1998; Bourque and Grossholtz 1998). Regardless, whether culture or nature, few deny that women, particularly in less industrialized nations, often do possess such key qualities and that these do support post-crisis societal rebuilding. Thus, activists from non-industrialized or war-torn regions tend to emphasize this notion of women's uniqueness in politics, while activists from the industrialized world demand women's increased presence in politics based on values of democracy and justice.[2]

This chapter presents the central arguments around the adoption of parliamentary *reserved seats quotas* for women; meaning the setting aside a number or percentage of parliamentary seats specifically for women, which has become more prevalent in recent decades. As outlined in chapter three,

2. Global regions differ in their emphasis on a justification for enhancement of women's political representation. For instance, the quota discourse from the unindustrialized and developing world, particularly in Africa, demands women's representation through emphasis on women's unique features, while in the Western world this is rarely emphasized. In the West demands for equal representation are predicated on democratic ideals and accepted notions of gender equality. This is perhaps due to the fact that in recent democracies, where notions of gender equality and liberalism are weak, the women's movement seeks other strategies to address women's underrepresentation, one that is derived from women's gender roles and hence considered more acceptable given such contexts.

this particular type of quota mostly occurs in less-developed and emerging democracies,[3] the majority of which are in Africa and many of which have faced recent national crises. However, reserved seats quotas have a longer history than any other type of parliamentary quota, appearing as early as the 1930s in India as part of a British Mandate and emerging again over the past decade after a general decline in their use. Reserved seats are legally mandated, either in the national constitution or a county's election laws, but differ from legislative quotas in that they are meant to guarantee a minimum female presence in legislatures (though in rare cases they fail to fill women's reserved seats). Though such quotas guarantee women's presence in the legislature, the proportion of women that they stipulate is generally much lower than other types of quotas – usually around or below 10 percent, though in some cases as high as 30 percent. Such low percentages are often considered *tokenism* which does little to insure woman-friendly legislation. Due to the legally mandated strength of reserved seats quotas, they are often adopted by states with very low levels of female parliamentary representation. There are various reasons for the sudden popularity of reserved seats in such states, ranging from democratizing influences, international and transnational factors, post-conflict factors, women's movement pressures, and others, noting that along with addressing women's underrepresentation, reserved seats are also used as a strategy to tackle other pressing needs in contexts where women's presence in politics is associated with peace, hope, cooperation, and even democratization. Many such states, particularly those that have recently suffered national crises, have made historical advancements in women's political participation. Among the most significant advancements are:

- As of November 2010, nine developing states (most of them African), have achieved critical mass (30%+) female parliamentary representation. They represent an astonishing 35 percent of the total number of states that have reached critical mass (see Table 3.2 in chapter three).
- Within the past decade gender quota adoption in the developing world is quadruple that of the developed world (see Chart 3.1 in chapter three). African states are currently at the forefront of quota

3. For instance, constitutional gender quotas, which also include reserved seats, are currently employed in 16 countries, 14 of which (with the exclusion of France and Argentina) are ranked Low or Medium Human Development according to the 2008 UNDP Human Development Report (International IDEA and Stockholm University 2009).

adoption, and Rwanda is the first country in the world to reach gender parity in its parliament. This illustrates successful quota ***implementation*** following adoption.

- The rapid spread of quotas reflects the commitment, preparation, and innovative strategizing of gender quota advocates, including national and transnational activists, scholars, political elites, and the international community.

Overall however, while a few states in the developing world have made great strides regarding women's political representation, such success does not extend widely to the less industrialized world. The issue of women's underrepresentation remains a reality across the globe, regardless of levels of industrialization.

This chapter examines the cases of two developing states; Bangladesh and Rwanda. Both introduced quotas following major social and political crises. While Rwanda is considered a success story in its reserved seats quota adoption and implementation, Bangladesh, which has debated quota adoption for much longer, still lags far behind in levels of female political representation, despite a recent history of female political leaders, including presidents, since the early1980s. Below we discuss some of the factors that led to the achievements of the Rwandan quota process and the factors hindering success in Bangladesh.

## Bangladesh

Reserved seats quotas originated in the 1930s from colonial India, which was later partitioned into India, Pakistan and Bangladesh. Despite this history, none of these South Asian states have achieved parliamentary gender balance. Similar to other cases, this is a result of various factors, not merely due to the shortcomings of the quota system. Reasons include but are not limited to the region's colonial past, under-development, civil war, elitist women's movements, and electoral systems that do not support the candidacy of women. Many of these factors are characteristic of less-industrialized states generally. Here, we explore the situation of Bangladesh, a country with low levels of industrialization and institutional infrastructure which, nonetheless, adopted reserved seats quotas to improve women's political representation. This case study will allow us to look at additional factors associated with quotas in the developing world, and the role quotas have played in encouraging or hindering women's parliamentary representation,

particularly in contexts impacted by the legacies of colonialism. As one of the earliest nations to adopt legislative quotas, advocates for women's political representation can learn a great deal by studying the quota process that has unfolded in Bangladesh.

Bangladesh is a highly impoverished and populated[4] state that, despite early adoption of reserved seats, has yet to achieve critical mass of women parliamentarians. The multi-faceted nature of the problems faced by Bangladesh result from its shared colonial history with India, the unworkable 1947 partition from India as East Pakistan, and finally a bloody, devastating civil war in 1971, which led to the establishment of Bangladesh as an independent nation (Ayoob and Subrahmanyam 1972). Even with independence, however, Bangladesh continues to suffer from political instability and continuous natural disasters. Under these circumstances, although Bangladesh boasts scores of women activists and women's organizations focused on development and poverty reduction, the state has not been successful in improving women's representation in its national assembly. The Parliament of Bangladesh (*Jatiyo Shangshad*) has faced numerous political crises where parliament was suspended in order to hold new elections; however, the extreme opposition between the two dominant parties (the Awami League and Bangladesh Nationalist Party) has often resulted in one or the other party boycotting the elections. Furthermore, the political parties rarely nominated female candidates for the general seats, viewing them as "risky" or incapable; which is ironic, given that since 1991 two women, Khaleda Zia (1991-1996 & 2001-2006)[5] and Sheikh Hasina (1996-2001 & 2008 to present)[6] have held the elected position of prime minister. A brief discussion of the historical background of gender quotas in the South Asian region (including India,

4. Bangladesh is currently the 7th most populated country in the world, with a population of just over 150 million.
5. Khaleda Zia entered politics after her husband was assassinated in 1981 and gradually became the chairperson of her political party, the Bangladesh Nationalist Party (BNP). While in power she made alliances with 7 other political parties and despite being harassed by the military regime, which she decried as illegal, she continued her struggle and was elected to parliament two times, and later held the post of Prime Minister for a total of 10 years. Although some try to minimize her achievement by relating it to her husband's assassination, her election 10 years after his death proved her political intelligence and ability to unite the public.
6. Sheikh Hasina has been the president of the People's Party (Awami League) since 1981. Her father, along with almost her entire family, was assassinated in a military coup while she was outside the country. She was not allowed to return home until 1981, after which she became the leader of the party and was elected first to parliament and then to the post of Prime Minister on two occasions.

Pakistan and Bangladesh), as well as an analysis of key actors and institutions involved in quota debates and processes will shed light onto the various obstacles faced in quota adoption and implementation in Bangladesh.

## The Historical Context

Discussions of quotas in the developing world always require historical contextualization. Bangladesh, like many other developing nations, has a significant legacy of colonialism and foreign influence which has engendered long-term economic, political, and social turmoil. Because of the stain of colonialism, policies have sometimes been rejected not for lack of merit but because of their association with colonial influences and a resistance to anything smelling slightly of the oppressor. Heated debates around reserved seats for women and disadvantaged religious groups and castes arose when the British introduced the idea in India as early as the 1920s; regional gender quota developments that followed must be understood within this historical conjuncture. The Government of India Act of 1935 introduced further quotas for a range of minorities, including 41 reserved seats for women in provincial legislatures and limited reservations in central legislatures (John 2000, p. 3828; Rai 2008, p. 92; Hasan, Sridharan, and Sudarshan 2005, p. 407). The quotas were viewed by many Indian nationalists and intellectuals, including Gandhi, leader of India's independence movement, as an attempt to break the unity of India as a nation and weaken resistance to the British colonial power (Raman 2003, p. 22).[7] While few denied the need to include marginal and disadvantaged social groups within the nation's political structures, various British policies sowed the seeds of religious conflict resulting in the wrenching partition of India and Pakistan on the eve of independence in 1947. In this context, anti-colonial leaders frequently pointed out that few Indians actually controlled their own destinies under British rule, thus providing political representation for the underrepresented and "disadvantaged" would be quite meaningless.

Because the Indian women's movement at the time regarded itself as an integrated part of the nationalist, anti-colonial movement, it also opposed gender quotas, arguing that such preferential policy would undermine the goals of equality among *all* Indians. As the organization purporting to speak

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7. An example of British quotas for minority groups is the British Communal Award of 1932 which sought to provide separate electorates and reserved seats based on religion and caste (Rai 2008, p. 92; Hasan, Sridharan, and Sudarshan 2005, p. 407).

on behalf of all Indian women, the All India Women's Congress (AIWC), established in 1926, demanded universal adult suffrage irrespective of any property or literacy qualification, and the right to be elected to legislatures, but with "equity and no privileges" (Hasan, Sridharan, and Sudarshan 2005, p. 406; Raman 2003, p. 22).

A closer examination reveals the extent of the contradictions and tensions faced by the early twentieth century Indian women's movements concerning gender quotas, due to their imperial origin. Today's Indian gender quota debates (as well as the quota issues in Bangladesh) cannot be truly understood without considering the history of quota discourse in the region over the last century (John 2000). Various Indian women's organizations of the pre-independence era, such as the Women's Indian Association (WIA), initially favored reserved seats for women, but withdrew their support when Gandhi began a fast to protest "untouchability" and the British mandate to create separate electorates and seats for minorities (and women) – which Gandhi believed reinforced the notion of caste distinctions. In this instance, women sacrificed their political empowerment to prove their devotion to Gandhi and the nationalist agenda. However, after the 1935 Government of India Act provided women with 41 reserved seats, the All India Women's Congress, which was in the vanguard of opposition to gender quotas, nevertheless used the legislation to great advantage, and in the 1937 elections, 56 women were elected to the legislature. Thus, "the reserved seats laid the groundwork for women's participation in politics and provided them with a very important foothold in legislatures" (Hasan, Sridharan, and Sudarshan 2005, p. 407). The women's movement also compromised with the British concerning women's suffrage. Although the women's movement called for "*universal* adult suffrage", they accepted the British restriction of women's franchise to urban areas, and as cited by Mary John, they argued that they attached "equal importance to the *quality* as well as the quantity of women's vote", (emphasis ours) which suggested that urban women were somehow more likely to vote "properly" (John 2000, p. 3825). At the same time the movement continued to oppose quotas, reiterating that "merit and merit alone" should be the only criterion for elections.

The colonial, non-grassroots origin of quotas and reserved seats hindered their adoption in post-colonial India. The women's movement at the time had to prioritize independence from Britain over women's

political participation. However, following Independence and Partition in 1947, quota debates differed from India to Pakistan, with each country taking opposite approaches to the issue of reserved seats. Pakistan, which at the time included present-day Bangladesh, introduced reserved seats for women in the early 1950s, while India rejected the idea until the late 1980s. Pakistan, however, reserved only two seats of the Constituent Assembly (less than 3 percent) for women. Women's reserved seats were also expanded to local level government, with Pakistani political elites arguing that women's political participation and rights were essential not only for women's progress, but for the development of the country (Mumtaz 1998). The Pakistani women's movements were eventually able to achieve 60 reserved seats for women out of 342 (17.5%) (International IDEA and Stockholm University 2010); but this happened in only 2002 after years of campaigning by various women and civil society organizations.[8]

Initially designated the province of East Pakistan by the British Partition of India on the eve of Independence in 1947, Bangladesh only became an independent nation in 1971, when the ethnic Bengalis rose in revolt against the Pakistani military. The 1971 Bangladesh Liberation War came at great human cost, with Bengali women especially victimized by devastating war crimes including systematic rape and murder perpetuated as a military tactic by the Pakistani Army (Bose 2005). Needless to say, these atrocities negatively impacted the initial foundations of the Bangladeshi state and the emergence of its civil society. Since 1971 Bangladesh has experienced ongoing political instability, ranging from military takeovers to one-party rules and multiple suspensions of its parliament. Although women have the right to vote, the presence of women in significant state decision-making positions has been limited. On the other hand, addressing the extreme poverty of the majority of the population has absorbed many women activists into charity and non-governmental organizations (NGOs), which in effect run the development policies of Bangladesh. Concurrently, the instability of the state and its inability to implement its laws and policies have meant that feminists and others trying to implement social change do not focus on state political institutions; thus, until quite recently, few activists or organizations paid much attention to how reserved seats quota was designed and implemented. Consequently, despite the long history

8. For more information on Pakistan's gender quota debates see chapter four of Krook (2009) and Hanif (2009).

of reserved seats in the region, Bangladesh has been rather unsuccessful in increasing the number of female parliamentarians. The following sections will analyze the adoption and implementation of reserved seats in Bangladesh, highlighting various factors which have contributed to low rates of women's representation.

## Quota Adoption in Bangladesh: "Token" Female Representation

Gender quotas or "reservations" – terms used interchangeably in the case of Bangladesh – refer to reserving a designated number of seats in the legislative/local body exclusively for women. The term "reservation" has colonial roots that allude to safeguarding the participation of vulnerable groups. In this sense, women formed a group that deserved governmental protection rather than needing deliberate measures that would empower them (Chowdhury 2003). This perspective impacted the political behavior concerning women's election to reserved seats, marginalizing women parliamentarians. Initially gender quotas in Bangladesh were conceived of as temporary measures to be implemented with the new Constitution. It was hoped that their use for 10 to 15 years would allow for true political empowerment of women such that quotas would eventually no longer be needed. However, women's representation in Bangladesh has never reached critical mass (see Table 6.1). As the table below outlines, the number of women elected to general seats has remained minimal, and whenever the quotas expired, women's overall parliamentary presence also declined. It was only the most recent elections of December 2008 that saw any real increase in the number of women elected –19 women won seats, an increase of more than 50% from any previous election. Reserved seats have remained the primary gateway for women's entrance into the Bangladeshi Parliament. Many scholars argue that the low percentage of women parliamentarians illustrates the tokenism of the quota system,[9] and that Bangladesh's political elites have not institutionalized genuine reform to sufficiently address women's underrepresentation (Chowdhury 2003; Panday 2008). In this section we will address the key shortcomings of Bangladesh's quota adoption process: namely the role of political elites and Bangladeshi women's movements.

9. In this study, "tokenism" concerns the limited number of reserved seats for women (usually not exceeding 10 percent) designated by political elites. This also ensures that the women in office remain accountable to the interests of the ruling elites than to the public.

Table 6.1 Women in the Parliament of Bangladesh

| Parliament | No. ♀ in general seats | No. & % ♀ in reserved seats | Total ♀ |
|---|---|---|---|
| 1st: 1973-75 | None | 15/315 (4.8%) | 15 (4.8%) |
| 2nd: 1979-82 | 2 | 30/330 (9.1%) | 32 (9.7% ) |
| 3rd: 1986-87-*parliament dissolved* | 5 | 30/330 (9.1%) | 35 (10.6%) |
| 4th: 1988-90 | 4 | None* | 4 (1.3%) |
| 5th: 1991-95 | 4 | 30/330 (9.1%) | 34 (10.3%) |
| 6th: 1996-96-*parliament dissolved* | 3 | 30/330 (9.1%) | 33 (10%) |
| 7th: 1996-01 | 8 | 30/330 (9.1%) | 38 (11.5%) |
| 8th: 2001-06-*caretaker govt. assumed power from 2006-08* | 7 | None from 2001-2004<br>2004-2006 (45/345)** | 52 (15.1%)<br>*After 2004* |
| 9th: Dec. 2008-present | 19 | 45/345 (13%) | 64 (18.5%) |

* In 1987, the women's seat reservations in force since Bangladesh's founding expired; there were no reservations for the 1988 elections.

** There were no gender quotas for the October 2001 general elections – the provision reserving seats for women had expired in April 2001. However, in 2004 parliament passed a bill increasing the number of women's reserved seats from 30 to 45, and created a total of 345 parliamentary seats. This measure was extremely controversial, but the reserved seats were allocated within 45 days after the passage of the bill, in proportion to the seats won by each party back in October 2001 (OneWorld.net, "Bangladesh: Parliament Passes Controversial Bill For 45 Reserved Seats For Women," accessed July 29, 2009. Available from http://uk.oneworld.net/article/view/98756)

*Sources*: Constructed from (Panday 2008)

IPU: Inter-Parliamentary Union http://www.ipu.org/wmn-e/arc/classif300609.htm

Bangladesh Parliament Legislative Information Center http://www.parliamentofbangladesh.org/general-2.html

***Reserved Seats in the Name of Women and at the Service of Political Elites:*** Adoption of gender quotas in Bangladesh began as a top-down effort, carried out by those who framed the Constitution. These male political elites simply continued the practice of Pakistan, granting women a few parliamentary seats. They justified this decision by arguing that women were too politically weak to contest male candidates for general seats, not by articulating a commitment to gender justice or democratization (Chowdhury 2003). The 1972 Constitution established a 300 seat parliament with an additional 15 seats (4.8%) reserved for women to be elected indirectly by political elites, while the 300 general seats were up for direct election in single-member districts. Although women were legally allowed to compete for the general seats, the ruling parties showed little commitment

to addressing women's underrepresentation,[10] rarely nominating female candidates in the First Past the Post (FPTP) electoral system.[11] This lack of support basically excluded women from running for general seats, which were treated as "men's seats". The reserved seats became an additional "vote bank" for the dominant parties, since the party that received the majority of the votes in the general election had its own women members elected to the reserved seats (Chowdhury 1994). Thus, all of the 15 reserved seats went to one party, instead of being divided among parties in proportion to the popular votes each received, though this was later modified in 2004, as explained below.

The proportion of women's reserved seats has varied over time either because of constitutional amendments or the dissolution of parliament due to political crises. For instance, the 1978 presidential proclamation increased the number of reserved seats from 15 to 30 (9.9% of the total), but this provision lapsed in 1987 due to parliament's dissolution, only to be re-incorporated in 1990 by a constitutional amendment. The provision lapsed again in 2001, and was replaced in 2004 by the fourteenth constitutional amendment which raised the reserved seats to 45, out of a total of 345 seats (13%). These reserved seats are allocated to parties in proportion to the votes each receives. Thus, if a party received 30% of the total vote, its leaders could elect women party members to 30% of the reserved seats in the 90 days following the general election. This mechanism was a major improvement from the previous system. Multiple parties could now elect women, whereas previously only the ruling party could, and this encouraged parties to nominate more women candidates (Panday 2008). Women elected into reserved seats do not represent a single-member constituency from the total of 300 districts as their directly elected colleagues do. Instead, the entire country is divided into 45 reserved seats constituencies; thus women holding reserved seats represent constituencies that are almost

10. As explained below, one of the major obstacles for increasing the number of female representatives in Bangladesh is its First Past the Post (FPTP) electoral system, since parties consider women to be risk candidates if running against men. The Bangladeshi political elites did not make much effort to address this obstacle, which has been effectively addressed by a few other states that use the FPTP system, such as Nepal, which tackled it by requiring at least 33 percent female candidates for the seats that are filled by the FPTP system (International IDEA and Stockholm University 2010).

11. The four major political parties of Bangladesh have nominated very few women to contest general seats. For instance, in the 1986 parliamentary elections women made up only 1.3 percent of the total candidates for general elections and only 1.5 percent in the 1991 elections (Basu 2009, p.101).

six times larger than those of directly elected Members of Parliament. Such huge electoral zones not only distance reserved seats holders from their constituents, they also tend to keep them more accountable to the male party leaders that have elected them than to their constituents (Chowdhury 2003; Panday 2008).

The current quota system in Bangladesh is one that is initiated and maintained by political elites. While the government of Bangladesh has failed to effectively empower women to political office through gender quotas at the national level, it has however been more effective at the local level. This was achieved by adopting the Local Government Second Amendment Act in 1997 which introduced direct election for women's quota seats at the local level (Panday 2008). At the national level, although two women head the dominant political parties in Bangladesh (and almost all political parties in Bangladesh have some sort of gender branch or women's committee), none of the parties have committed themselves to reform the proportion of reserved seats for women in the national parliament or the allocation system which tends to only elect "token" women. The various legal reforms concerning reserved seats have been passed in spite of immense opposition from women's organizations and groups, as discussed below.

***The Women's Movements:*** South Asian women's movements played a small role in the initial quota discourse that unfolded in British India, and later in Pakistan and Bangladesh. Since quotas were implemented in a top-down manner, the true needs and demands of women were rarely considered. However, once the debate began, the women's movements did not remain silent. In Bangladesh, when the first gender quotas were adopted by the 1972 Constitution, the most dominant women's organizations, such as the Mahila Parishad (Women's Council) founded in 1970, advocated in general terms for gender equality and the removal of all forms of gender discrimination. However, women's organizations were not invited to be involved in the formulation of the women's reserved seats provision, which were eventually designed and passed by the male elites, in the absence of women's inputs. From the 1970s through the early 1990s, Bangladeshi women's organizations focused primarily on welfare or development related issues. As mentioned earlier, this is explained in part by the fact that governance and political institutions were extremely unstable and weak, and thus, not viable channels for addressing women's or other issues, including the poverty affecting large segments of the population – and it is widely accepted that burdens of impoverishment weigh

most heavily on females of the most disadvantaged social groups (Lord 1993; Nordquist 1987).[12] Ironically, the constant political crises and instability of the state actually stimulated a very strong grassroots women's movement, with a large number of organizations and NGOs functioning to address various social welfare issues, many facing impoverished rural women.

More recently, a large number of Bangladeshi women's organizations have, with the support of the transnational feminist movement – in particular women's organizations working in Muslim contexts – unified their objectives to advance women's status. One goal of these transnational activist networks is enhancing women's political participation. However, most of their work has so far focused on training programs for potential female candidates, rather than on a demand for gender quotas (Panday 2008). Training is indeed a crucial element of the strategy to increase female representation, since few women in Bangladesh have formal political experience; however, various research surveys show that for women who are elected, the level of education and knowledge of the political structure is higher for female parliamentarians than for their male counterparts (Jahan 1987). Such findings illustrate the entrenchment of male dominance in politics – a lack of qualifications on the part of male politicians is not necessarily an impediment to accessing political office, though the same is not true for women. Although the trainings launched by women's organizations have succeeded in empowering women to run for office, they have not resulted in significant increases in the proportion of female candidates. This is primarily because women generally do not have the access to funding and patronage that is crucial to a successful electoral campaign in Bangladesh, where financial resources or kinship with political elites remain important factors for political success.

The women's movement in Bangladesh did bring the issue of quotas into public discourse as the failure to increase the number of female parliamentarians became apparent. They criticized the quota system in place and lobbied for a quota system to fundamentally change the token nature of the constitutional provision. In the aftermath of the 1987 dissolution of parliament, the Bangladesh women's movement put forward clear objectives of increasing reserved seats to at least 100 (30 percent of the total seats), and filling those seats through direct elections in order to bring women into the political mainstream. Some women's organizations also encouraged

12. Based on interviews with Salma Sobhan, a leading feminist, human rights lawyer and writer on the political status of women in Bangladesh in Montreal in Fall 2000 and Sultana Kamal in London on March 2007. See also (Guhathakurta 2003).

political parties to nominate a percentage of women to contest the general seats. However, the ruling elites ignored these demands and in 1991 simply re-adopted the previous reserved seats provision with minor changes.

Following this defeat, the women's movement worked to rally public opinion to pressure the government for an effective quota system. By 2001, about 20 women's groups and NGOs were mobilized by the Mahila Parishad (Women's Council) to lobby government, political parties, and parliamentarians through mass protests and awareness-raising campaigns, linking with the transnational women's movement for support.[13] Such transnational support ranged from UN-sponsored gatherings and conferences surrounding the enhancement of women's political rights throughout the 1990s, to regional influences from women's movements in neighboring Pakistan and India as well as the strong networking that existed between many South Asian feminist groups (Basu 2009, p. 17-18). Although hopeful that the ruling Awami League would stand by an earlier promise to meet the movement's demands for real reform to the reserved seats provision, to their great disappointment in 2004 a similarly tokenistic provision was passed. The constitutional amendment simply increased the number of reserved seats from 30 to 45, out of a total 345 parliamentary seats (to 13 percent). The amendment was strongly condemned by women's rights activists, who declared that it would "undermine women's political role" and was "insulting" (Shehabuddin 2008, p. 162).

The women's movement continues to pressure the government for meaningful reforms to the reserved seats provision. In March 2009 Prime Minister Sheikh Hasina of the Awami League announced that she will increase women's reserved seats to 100, a policy measure adopted by her party in its 2008 National Women Development Policy,[14] to comply with the UN Millennium Development Goals (MDGs) towards women's development (and thus be eligible for significant development funding). Among the policy's progressive features are to set aside one-third of parliamentary seats for women, to be filled through direct elections. However, this policy has faced fierce opposition from Islamist groups, such as the fundamentalist

13. This support was mostly in terms of sharing experiences, looking at the successful strategies, and becoming aware of the arguments in favor of quotas to effectively counter quota adversaries. Furthermore, they helped to develop strategies for mobilizing and the lobbying of influential bilateral and international donor agencies such as the World Bank and American aid agencies to give more weight to women's political representation.

14. Thaindian News, "Bangladesh Parliament to Double Reservation for Women," 2009, available from http://www.thaindian.com/newsportal/politics/bangladesh-parliament-to-double-reservation-for-women-lead_100164454.html.

political party Jama'at Islami, who declare it "contrary to Allah's law" and continue to demand its immediate withdrawal. According to Women and Children's Affairs adviser Rasheda Choudhury, most of the policy's provisions have been willfully misinterpreted by Islamists.[15]

In sum, gender quotas in Bangladesh were initially championed by political elites, with little regard for women's true interests. However, more recently the Bangladeshi women's movement has played a much more active role around gender quota issues and policies. They have also enlisted the support of the transnational women's movement and international organizations. The transnational women's movement has played a key role, lobbying international aid agencies to support measures to increase women's political representation by making this a condition for obtaining development aid.[16] It has been argued however, such pressures, without proper mechanisms to ensure that grassroots women's movements involvement in the design of the quota system, can often lead to the adoption of gender quotas as part of an attempt to appear progressive and "modern"; to gain support from the West and to access larger, Western oriented markets without actually drastically altering the political structure (Abou-Zeid 2006, p. 172). Thus, for example, in 2000 a United Nations Development Program provided Bangladesh with $4 million for a governance program to extend its lapsed quota legislation and to increase the percentage of women in parliament (Paxton 2007, p. 184). Bangladesh subsequently formulated and adopted the 2004 constitutional amendment without any input from the women's movements and other civil society organizations, increasing reserved seats to 45. Women's groups opposed the amendment for its weak and non-empowering provisions.

## Implementation of Quotas in Bangladesh: Many Shortcomings, Few Accomplishments

According to Najma Chowdhury (2003) and Pranab Kumar Panday (2008) quotas in Bangladesh have served more as a "glass ceiling" for women rather

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15. The Daily Star, "Don't Criticize Women Policy without Reading: Adviser Rasheda asks People," 2008, available from http://www.thedailystar.net/pf_story.php?nid=27511

16. Currently, in response to transnational women's movements, international development agencies such as the World Bank are emphasizing gender equality and place related conditions on their funding. Bangladesh, similar to other developing nations, receives 80-100 percent of its national development budget through external funding, so such funding conditions, along with the presence of an active women's movement, can have a huge impact on national social and political policy and programs.

than a jump starter for their presence in parliament. This is in large part due to the association of reserved seats as "women's seats", and of general seats as "men's seats." This is illustrated by the fact that the number of elected women has rarely surpassed the number of reserved seats (see Table 6.1). The quotas ultimately did not meaningfully support women's political empowerment as they had intended. The three main criteria we come back to again are: the details of a quota policy, the fit of the policy with institutional frameworks, and the extent of support from political actors and elites. We look at these to try and understand the short comings of the gender quota in Bangladesh.

The national constitution of Bangladesh clearly outlines the details of women's reserved seats in its initial formulation. Article 65 (3) of the Constitution determines the number of seats reserved for women, and the time frame for application. The article has been subject to many constitutional amendments, all of which merely altered the number of seats and the quota expiration date, with little modification to how the seats were to be filled. The article has always been precisely worded and implemented, except when internal party struggles resulted in political crises and parliamentary dissolutions.

Despite the clearly stated legal provision, the reserved seats system did not match the state's electoral system for purposes of increasing women's representation. Bangladesh's First Past the Post electoral system requires voters to choose one candidate to represent a single-member district. The reserved seats were separated from these generally elected parliamentary seats, and *additional* constituencies were developed for women to represent, elected by political elites rather than voters. Given Bangladesh's patriarchal society and single-member districts, the FPTP system discouraged parties from nominating women for general seats, as they considered women to be risk candidates likely to lose to any male opponent. More potentially effective reforms include altering the electoral system to proportional representation or mixed systems (as was done in Nepal) to serve multiple-member districts; or setting up women's-only-districts and party candidate lists, in which only women candidates are allowed to stand for election in certain districts; or merely enabling direct elections into the reserved seats as demanded by the women's movements.

In addition to considering the many possibilities for meaningful reform, change also depends on the support and commitment of political elites. Pressure on elites usually has to originate from women's organizations,

preferably a coalition of women's groups, since power-holders otherwise have little interest in changing the status quo. In Bangladesh elites have not been sufficiently pressured to take meaningful action to address women's parliamentary underrepresentation. In fact, according to some scholars, the reserved seats quota is implemented in a manner to benefit ruling elites rather than to empower women. Chowdhury (2003) argues that not only are women rarely nominated by parties, but those who are, tend to be relatives of either politicians or important party supporters, leaving the vast majority of women in Bangladesh without access to political power. Unsuccessful quotas in Bangladesh are the largely results of the women's movement's lack of involvement in formulating new reserved seats legislation, as well due to a lack of mechanisms for monitoring the impact of them on women's representations.

All of the above have contributed to the failure of the reserved seats system in Bangladesh to accomplish meaningful increases in female political representation. There have however been a few accomplishments in the context of quota adoption in Bangladesh. The most important of these is the increase in grassroots-level pressure on the government to reform the quota provision. More recently the women's movement has united under the umbrella organization Mahila Parishad to unanimously oppose the government's token approach to female representation and to demand fundamental change. Another significant achievement was the increase in female candidates, mostly nominated by the ruling Awami League party, in the December 2008 elections. Of the 55 women who ran for election to general seats, 19 were successful. This is a relatively huge increase from the 7 women representatives elected in 2001 (see Table 6.1). However, Bangladesh's electoral history shows that it will still require a comprehensive gender quota system that fits the state's electoral system and encourages parties to make proactive efforts to increase women's status.

## Rwanda

### Rwandan Reserved Seats and its Innovative Features

In October 2003, Rwanda made history in its first democratic parliamentary elections since the 1994 genocide by achieving near gender parity (48.8 percent female representatives) in its legislature, surpassing the performance of Scandinavian countries that until then ranked highest in female

representation. In September 2008, Rwanda once again shocked the world by electing a majority of 56.3% women parliamentarians (Zirimwabagabo 2008), far exceeding the world average of approximately 19 percent (Inter-Parliamentary Union 2009). Rwanda's exceptional performance would not have been possible without the adoption and implementation of parliamentary reserved seats for women. Today, Rwanda is part of a trend of quota adoption, most of which has occurred in the developing world, particularly within the past 15 years (Dahlerup 2006b). The following briefly discusses the historical background that frames the context within which the quota process emerged in Rwanda, the adoption and implementation of the quota, and some of the issues quota adoption has faced over the years.

## The Historical Context

In 1961 – one year before Rwanda gained independence from Belgium – Rwandan women received the rights to vote and to stand for elections. While the first female parliamentarian began serving in 1965, women's parliamentary presence never exceeded 18 percent before the 1990s civil war, after which a transition government came to power for a decade as Rwanda gradually rebuilt itself following horrific crisis of the 1994 genocide (Mamdani 2001). The Rwandan women's movement, which predated the genocide, as well as the women's organizations that were created in its aftermath, played a key role in rebuilding the war-torn nation. In order to better understand the nature of Rwandan women's organizing, mobilization and resistance, it is necessary to contextualize their role in society as well as the impact of the genocide on women.

Rwandan women, similar to most of their African sisters, have been very active in the informal economic and public spheres, working primarily as petty market traders and farmers. Women's economic activities in post-colonial Rwanda resulted in their collective mobilization and creation of informal women's organizations. Since independence women's collective voices have continuously promoted women's interests, including female parliamentary presence. Only four years after receiving suffrage, Rwandan women elected their first female representatives in 1965, achieving 18 percent female parliamentary representation that year (higher than most Western nations), without the help of quotas.

The social and political activities of Rwandan women increased drastically in the aftermath of the 1994 genocide in the public sphere and in

reconstruction efforts. Constituting the majority of the population, Rwandan women took on the responsibility of rebuilding their nation. The gendered nature of the genocide and associated violence particularly victimized women, who were raped and sexually tortured for explicitly political, ethnically-motivated purposes (Powley 2004). The pitting of ethnic groups against one another engendered the rape of Tutsi women by Hutu men, who attempted to wipe out the Tutsis by impregnating their female victims. The mass rape and killing devastated both Tutsi and Hutu women, and consequently, Rwandan social structure – while Tutsi women were raped and killed, the husbands and brothers of Hutu women turned into rapists and killers.

The post-genocide reconstruction was thus also gendered – built on the perception of women as forgiving and peace-building; more moral and less violent than men. Rwandan women represented peace and a change from the horrific recent events largely perpetuated by men. The long history of Rwandan women's presence in the economic sphere, their particular gendered experience of the genocide, and their larger demographic and mass mobilization after the genocide contributed to their increasing public voice and legitimized their demand for further authority. Women's capabilities were also supported by the international community and Rwandan political elites, who saw women's presence in political and social structures as a crucial element in the reconstruction of Rwanda. This situation contributed to the transitional government (1994 to 2003) parliament comprising 25.7 percent women, and eventually to the adoption of a new, gender-sensitive constitution which guaranteed women's political presence. These factors resulted in just under 50 percent female representation in the first, post-genocide elections in 2003 (Powley 2005), making Rwanda the highest ranking nation in the world in terms of percentage of women MPs. As we have briefly described, a number of interrelated factors contributed to this – a horrific national crisis, an active women's movement, the adoption of constitutional gender quotas, and innovative electoral structures (Tripp, Konate, and Lowe-Morna 2006; Jabre 2004).

## Women's Activism and the Post-Crisis State: The Adoption of Constitutional Reserved Seats

In July 1994 as the Rwandan genocide – which resulted in the deaths of an estimated 800,000 Tutsis and moderate Hutus in 100 days – was coming to

an end, the women of Rwanda, who now constituted about 70 percent of the population (Burnet 2008), stepped in to reconstruct their devastated country and provide services for the traumatized population. The women's movement, organizing under the umbrella organization Pro-Femmes, demanded that the new constitution being formulated respect women's interests and adopt gender-sensitive provisions, namely, a quota system to ensure women's representation in the government (Powley 2005). Their demands resulted in the inclusion of a minimum quota of 30 percent women in all decision-making positions, corresponding to 24 reserved seats for women in the national assembly from a total of 80 seats, in the draft of the new constitution (Schwartz 2005). These legal provisions resulted in near gender parity in parliament (48.8%) in the first post-genocide democratic election in 2003, increasing to a majority of women parliamentarians (56.3%) in 2008, when women constituted 54 percent of the Rwandan population (Zirimwabagabo 2008). This section examines in more depth the primary forces that led to quota adoption in Rwanda, including the role of the genocide crisis in opening up avenues for women's political representation.

We have described a combination of factors that led to Rwanda's quota adoption. Notable among them was the presence of an active women's movement which mobilized strongly to lobby for the quota. As well, the grave social and political crisis facing the country engendered a strong desire by the political elite to champion gender equality and thus ensure the support of women who made up more than half the voting constituency. International and transnational agencies and advocacy groups also played a role, with their large presence in post-genocide Rwanda and their emphasis on gender justice as a mechanism for expanding democracy and development (Powley 2005). It is also important to note that at the time, emerging norms concerning female representation, as mandated internationally by the United Nations, and regionally by organizations such as the African Union (AU) and the Southern African Development Community (SADC), played a key role in the gender and political discourses of states and civil society in many parts of Africa (Tripp 2004). Widespread debates on gender quotas culminated in the 2002 African Union's Constitutive Act providing a 50 percent quota for women in all of its structures.[17] The SADC's Declaration on Gender and Development set a target

17. At its second summit in 2003, the African Union (AU) endorsed and adopted the Protocol on the Rights of Women in Africa based on the African Charter for Human and People's Rights, which called for equal gender representation (Xingwana 2004). This protocol came into force in November 2005 (Equality Now).

of 30 percent women in decision-making positions at all levels and in all structures by 2005. These developments served as a lobbying and mobilization tool for those advocating quota adoption within national and municipal political structures (Kethusegile-Juru 2004).[18]

Interestingly, post-conflict societies in the developing world tend to be more supportive of quotas for female legislators and to the inclusion of women in political structures. For example, "of the 12 African countries with the highest rates of female representation in parliament, eight (Angola, Mozambique, South Africa, Uganda, Rwanda, Eritrea, Burundi, and Namibia) have undergone liberation wars or civil conflict in recent years" (Tripp, Konate, and Lowe-Morna 2006, p. 119). All of these states have adopted some form of a gender quota, although not all have achieved critical mass. The main explanation is that countries dealing with the aftermath of upheaval generally work towards consolidating a new regime, in which constitutions and parliaments are re-established from scratch, making it easier to include women in the design, especially since violent conflict generally implicates males and thus leaves fewer men able to lay claim to decision-making positions (Tripp, Konate, and Lowe-Morna 2006). Thus, severe domestic crisis serves as a defining moment and a catalyst for change, where new opportunities emerge for women (and other marginal social groups) to gain political representation, particularly where there are organized and informed women's movements (Paxton 2007).

In the aftermath of the Rwandan genocide, "women immediately assumed multiple roles as heads of household, community leaders, and financial providers, meeting the needs of devastated families and communities" (Powley 2004, p. 5). As leaders in reconstruction, Rwandan women also became powerful unifying forces between the two ethnic groups of Tutsis and Hutus. The victorious Rwanda Patriotic Front (RPF) – a predominantly Tutsi political party – which had committed itself to a platform of reconciliation and unity, determined that women **had to be central** to the process of governing, reconciling, and rebuilding the country; hence it placed women in strategic and critical political posts (Powley 2004). This decision was also supported by the fact that few women had participated in the genocide and therefore women had more political credibility in terms of rebuilding the moral of the

18. Although Rwanda is not a member state of the Southern African Development Community (SADC), the rhetoric of gender quotas was nonetheless apparent in the developmental and political discourses across the continent, which in turn positively influenced country specific advocacy work.

nation. The civil war had also drastically depleted the pool of male political candidates; they were either dead, had fled, or were morally compromised, and this disrupted patterns of political incumbency, leading to the demand for women in decision-making positions. Rwandan women stepped in, supported by the international and transnational communities mandated to support the inclusion of marginalized groups, including women, in political representation.

Women's organized responses to crises directly impact traditional assumptions concerning women's roles. Wars and revolutions create significant moments for reshaping beliefs and ideas, including the possibility for the emergence of women in political arenas traditionally monopolized by men, though this is not a given.[19] In the struggle for independence or reconstruction following domestic upheaval and war, previously marginalized constituencies often put forth alternative visions for society that can include the expansion of women's rights. Initially, these efforts materialize in the new constitutions of the emerging state. In the Rwandan case, the post-genocide transitional government appointed a 12-member Constitutional Commission to draft the new constitution, three of whom were women, including Judith Kanakuze,[20] a representative of the Rwandan women's movement and a gender expert. The coalition of women's movements, Pro-Femmes, also mobilized nationally, regionally and internationally to ensure that gender equality became a cornerstone of the new constitution, and a "30 percent quota for posts in all decision-making organs" was set, along with other commitments to gender equality, particularly at various levels of national development planning institutions (Powley 2005).

19. Women's entrance into politics following a domestic crisis is not a given even if they have proven themselves worthy actors in pursuit of peace, unity, and reconstruction. Feminists have documented many instances, including Algeria's independence movement, the Iranian revolution, the French revolution and others, where women activists, fighters and revolutionaries were later excluded from public life and sent back to the "private" "domestic" sphere as males attempted to reestablish dominance over politics once the goal of the revolution/movement was achieved (Paxton 2007).

20. Judith Kanakuze represented the Rwandan women's movement at the Constitutional Commission based on her background as a consultant for the National Women's Network. She pressed for the new constitution to require at least 30% female representation in parliament and in cabinet. Of Tutsi descent and a member of the Rwanda Patriotic Front Party, Ms. Kanakuze became a member of the new parliament as well as chairwoman of the Forum of Rwandan Women Parliamentarians, a cross-party parliamentary caucus that represents the interests of women. In parliament she was a member of the Committees on Gender and Promotion of Family and on Budget and State Ownership. She was re-elected to the 2008 parliament and served until her untimely death from illness in February 2010 (New Times, "MP Kanakuze is dead," 8 February 2010, available from http://www.newtimes.co.rw/print.php?issue=14166&print&article=25642)

The new electoral system of Rwanda thus guarantees women's election at all administrative levels, ranging from district to provincial and national levels, and extends to all directly and indirectly elected positions, including appointed bodies such as the senate. The constitutional provisions are further bolstered by a parallel system of women's councils and women-only elections, as further detailed below. At the national level, the constitution (Articles 76 and 82) reserves 30 percent of the seats at the Chamber of Deputies (the lower house) and the Senate (the upper house) for women (see Appendix B). The law regarding municipal politics also mandates that 30 percent of members in all indirectly elected[21] councils, at district and city of Kigali levels, must be women (Powley 2004). This focus on the local level resulted from a popular belief that women's participation at the community level is fundamental to inclusive public policy and societal development; additionally, local level experience provides women with the necessary background to move up to more senior decision-making positions. This was also the assumption underlying the introduction of local level quotas for women in India and other South Asian states. All of these provisions are to a large degree the result of the Rwandan women's movement's efforts and involvement in formulating the constitution, which also ensured that local level women's councils were established specifically to train women politicians.[22]

***What Distinguishes Rwandan Quotas from other Existing Quotas?*** Influenced by the Ugandan gender quota project,[23] the ruling Rwanda Patriotic Front adopted quotas consisting of constitutionally reserved seats for women in the national parliament, and for specified marginalized groups (including youth and the disabled); the legislation also detailed the mechanisms for implementing the quotas. The new Rwandan constitution, formulated with the input of gender expert Judith Kanakuze, was able, through innovative

21. In Rwanda, indirectly elected seats generally refer to seats whose holders are *elected* by an interest group, rather than by the general public as in direct elections. Women's reserved seats are mostly allocated by women's councils, which constitute an interest group from the women's movement, as will be further discussed.

22. This chapter mostly focuses on women's reserved seats at the national parliament in Rwanda. For further examination of Rwandan women's political participation at the local level, please refer to: Powley (2008).

23. Uganda is among the first African states to introduce gender quotas, as early as 1989 (Tripp 2004). For its parliament, Uganda reserved one seat from each of its 39 districts for women. The Rwandan refugees in Uganda who later formed the Rwanda Patriotic Front became familiar with this system and viewed quotas as a necessity for the new government (Powley 2004).

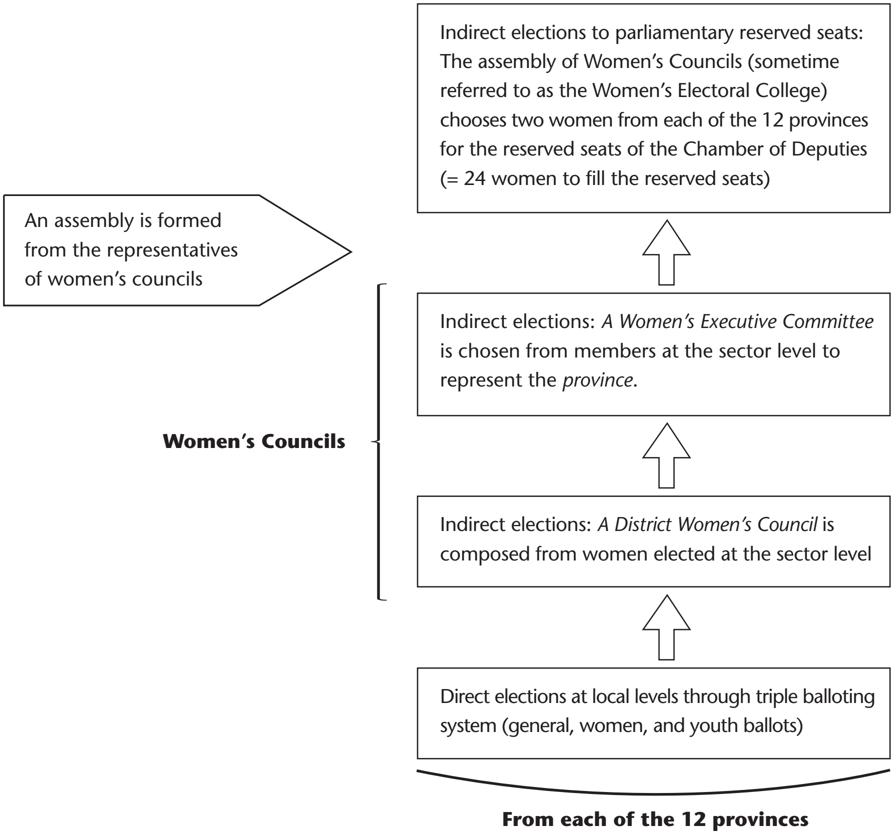
strategies, to ensure women's representation in all structures, and at all levels of government (Powley 2005). The following briefly describes the innovative measures used in Rwanda to ensure women's representation at the local level, followed by a more detailed analysis of quotas at the national level.

Since women's local-level political representation was considered crucial to the reconstruction efforts, an innovative triple balloting system was implemented at this level. The system provides the local electorate with three ballots at the ballot box: one for general candidates; another for women; and another for youth, and voters select one candidate from each ballot. This system provides a space for women candidates even in contexts where so-called "traditions" and customs may hold women back from challenging male candidates (who are often also community leaders). Both men and women can still compete on the general ballot, and often more politically experienced women choose to run on the general ballot (Powley 2004; International IDEA and Stockholm University 2009). Women who win seats in local elections are organized into **women's councils** at various municipal administrative levels.[24] The councils, originally created in the aftermath of the genocide to assist with reconstruction efforts and local support efforts, have considerable legitimacy and play a key role in transitioning power to the local level elected bodies called cells, the base local administrative unit. These cells then elect women from among their members to administrative positions at the sector, district and provincial levels. This system helps ensure that female representatives, elected by women, are accountable to their constituency. They are often women's rights activists or community organizers who have been active in working to resolve women's problems in their communities (Powley 2008).

The women's councils operate at each level in parallel to general local councils and represent women's concerns, and the head of the women's council holds a reserved seat on the general local council to provide a link between the two bodies. Each city thus ensures the presence of at least one female elected representative in general meetings and programs. The system appears to have been carefully thought out to ensure women's councils are not separated from general decision-making, even at the local levels. The main role of the women's councils is to raise awareness about women's concerns at the local level as well as to educate and train potential female candidates (Powley 2005).

24. Rwanda divides its local administrative levels into cells, sectors, districts, and provinces.

Chart 6.1 Linkage between local and national elections and how parliamentary reserves seats are filled in Rwanda




Aside from granting women a voice at the local level, the women's councils also play a key role in maintaining women's representation at the national level. An innovative measure in the 2003 constitution granted these women's councils the responsibility to also elect the female parliamentarians for the reserved seats at the national level. Since then, a joint assembly of women's council members from each local cell elects the female parliamentarians for the 24 reserved seats. However, council members are not paid, and Powley (2005) argues that dividing their time between paid occupations, family responsibilities and council obligations leaves them limited time for their volunteer efforts, which may render the councils less effective.

The Rwandan election system utilizes innovative means to ensure women's (and other politically marginal groups') representation. Parliamentary reserved seats for women are exclusively elected by members of the women's councils – thus only women elect women. The flow chart below illustrates the electoral system and how women's quotas are filled.

In addition to these innovative strategies, the woman-friendly electoral system (List PR) enables the election of additional women MPs, beyond the minimum 24 reserved seats. For instance, in 2003, 15 additional women were elected outside the reserved seats (for a total of 39 female parliamentarians); in 2008, 21 women won seats in addition to the 24 reserved seats (for a total of 45 female parliamentarians) (Tripp, Konate, and Lowe-Morna 2006). Since the ruling Rwanda Patriotic Front won both elections by a landslide, the additional female parliamentarians are mostly members of this party.

## The Implementation of Reserved Seats: Key Factors Underlying Rwandan Success

The implementation process of the Rwandan reserved seats quota has been incredibly successful, particularly since in its first application in 2003 women were able to gain almost complete gender balance in parliament. The most important factor in this globally unprecedented success is the detailed wording of Article 76 of the 2003 Rwandan Constitution (see Appendix B) and the state's unambiguous election law requirement for 30 percent women's representation at all levels, including specifics of the method of election (International IDEA and Stockholm University 2010). Such specific legal directives have resulted in the smooth implementation of quotas in accordance with the law. A Gender Monitoring Office, established by Article 185 of the new constitution oversees and ensures that quota implementation is respected at every level (Kanakuze 2004). The Rwandan quota law is also a good "fit" with the state's multi-member districts, which are represented through a proportional representation electoral system. Although the PR system generally supports the selection of female MPs by their parties based on the proportion of total votes each party receives (the most common method), the Rwandan quota advocates chose instead to create a joint assembly of women's councils (sometimes referred to as the women's electoral college) from different levels of local councils, to elect women

parliamentarians.[25] As noted in the previous section, since the members of this assembly are chosen by women's representatives at the grassroots level, female members are accountable to the women's constituency rather than to their political parties.

The success of the Rwandan quota system is also credited to the key roles of several actors, namely the active women's movement; Rwandan Patriotic Front party leaders supportive of gender equality thanks to lobbying by women; international and regional debates by influential organizations on women's political representation, and solidarity and support from the transnational women's movement. The commitments of these actors translated the ideal of gender equal political representation into a meaningful process that gives political voice to the female constituency and results in full implementation of the quota law and the possibility of additional women MPs beyond the quota.

Aside from the efforts of the Rwanda Patriotic Front and other activists, the creation of a Ministry of Gender, the organization of women's councils at the cell (the smallest local unit), sector, district, and provincial levels, and the legislation of a woman-friendly electoral system and legally mandated gender quotas (Powley 2005) have also effectively increased women's representation at all levels of government. The new Rwandan constitution fully incorporates gender equality in 203 provisions and is a strategic tool for ensuring women's presence in the various branches of government (Kanakuze 2004). To ensure women's substantive representation, the law designated the establishment of a women's electoral college drawn from experienced civil society actors on women's councils to elect women to the 24 reserved seats. This mechanism assures representation by women who have already demonstrated commitment to Rwandan women's needs and assumes that they will be accountable to the female constituency since they are chosen by women's representatives as opposed to male party leaders.

Concerning the effectiveness of female parliamentarians in actually representing the interests of women, Schwartz (2005) argues that women elected through reserved seats tend to commit to women's interests more-so than women elected on the general ballots drawn from party lists. In general female

25. Although the assembly that elects women to the reserved seats in Rwandan national parliament is at times referred to as an electoral college, this body is very different from the American Electoral College, which is based on a more ambiguous system wherein it is not clearly defined as to who can become an electoral college members and how that happens. Unlike the American Electoral College, the body in Rwanda is elected by women's representatives and not by elites or party leader.

MPs tend to prioritize women's interests more than their male colleagues do. Schwartz's research analyzed the substance of Rwandan female parliamentarians' representation of women and women's concerns in the first post-genocide parliament, elected in 2003. Through opinion surveys and interviews in 2004, Schwarz concluded that there is a difference in the perspectives and approaches of "quota-women" and "party-women". Although her research did not analyze bills or legislation under debate, the opinion surveys of parliamentarian show that quota-women see themselves as "grassroots politicians" elected primarily in order to represent the female population, whereas party-women did not feel as implicated in this responsibility. Schwartz found that party-women were mostly experienced politicians who had previously served in the transitional government, whereas quota-women tended to lack formal political experience, as most were recruited directly from their local provinces. Due to the unique election process for the reserved seats quota, these female representatives were also assumed to better understand the problems of women and children at the local level than the party-women, whose experiences can be quite removed from the grassroots.

As a way to build solidarity and cooperation among all female parliamentarians, the Rwandan women serving within the Chamber of Deputies have established the Forum of Rwandan Women Parliamentarians, a cross-party parliamentary women's caucus, with the aim of brining the grassroots demands represented by quotas MPs to the attention of party MPs, and eventually turning women's interests into laws and policies (Schwartz 2005). The large number of female deputies in the Rwandan parliament has increased their confidence in raising women's issues in parliament. "…women are highly aware of their new numerical strength", and view the quota as a guarantee of their parliamentary participation (Devlin and Elgie 2008, p. 245). Furthermore, women's mere presence in politics is shifting the public's perceptions about women's status in the society, and encourages the political participation of future female generations.

Therefore, Rwanda's national crisis engendered a situation whereby Rwanda was able to achieve historic levels of women's representation, with the collaboration of activists, political elites and the international community. At the dawn of a new, more peaceful and equitable era in Rwandan and even African politics, the achievements of Rwandans in parliament are heralded by many, including the Rwandan president and the international community (Burnet 2008). However, it is important to place such achievements in context and

identify any shortcomings for future lessons. This process has not been entirely problem-free; some of the issues needing attention will be discussed below.

***Room for Improvement of Rwanda's Reserved Seats:*** The Rwandan reserved seats provisions have not been completely flawless; some feminists consider them ineffective for actually addressing women's interests and demands, while others criticize their implementation and enforcement mechanisms (Tripp, Konate, and Lowe-Morna 2006; Kanakuze 2004). One of the shortcomings of the Rwandan constitutional gender quota is its silence concerning the actual parliamentary positions that women elected through quotas may occupy. In this regard the quota provision does not specify, and thus does not guarantee, that the 24 women's seats are in significant decision-making positions or committees. Feminist political observers argue that the presence of women in national legislature is not enough to truly represent women's interests, if they are not granted seats on significant committees. In this particular aspect, as in other arenas of daily life, the traditional patriarchal social structure remains intact. This is largely a silent concern in Rwanda today, since the percentage of women in parliament is currently very high, and thus it is difficult to avoid having them on important committees. More significantly, the current President of the Rwandan Chamber of Deputies (the lower house) is a woman, Ms. Rose Mukantabana, who was elected by a landslide victory over her opponent, Mr. Abbas Mukama, by receiving 70 votes from a total of 80-seat house.[26] However should backsliding occur and the number of female MPs diminish, this could present a threat to women's substantive representation.

With regards to women-friendly legislation, although it is argued that women representatives have gained more confidence in raising gender issues, a majority of the laws benefitting women's rights were passed before the 2003 quota adoption (Devlin and Elgie 2008).[27] One real gain of women's

26. Women of History, "Rose Mulantaba," 9 October 2008, available from http://womenofhistory.blogspot.com/2008/10/rose-mukantabana.html, accessed March 10th, 2011.

27. Many of the most revolutionary women-friendly laws were passed by the Transitional National Assembly before women's parliamentary presence reached almost 50 percent. These laws included: the Women's Inheritance Act; the definition of rape as a category one crime; the right to breastfeed in the workplace, and others. Since 2003, female deputies have been instrumental in the passage of one more significant law concerning women's rights, the Law on the Prevention, Protection and Punishment of Any Gender-Based Violence, which makes polygamy, among other things, illegal. This trajectory has led some scholars to argue that the number of women in parliament might be secondary to government commitment, and in this case the Rwanda Patriotic Front's efforts to address women's issues during the transitional government (Devlin and Elgie 2008).

representation in political and decision-making positions is to ensure that women receive material benefits from the state equal to those of men. However, Rwandan women continue to lag far behind men in education, health, and employment, with little evidence that the poverty ratio between men and women has changed since women's exceptional rise to power. Indeed it has been argued that there is a clear feminization of poverty (Kanakuze 2004).

Another major problem is the undemocratic use of the quotas by the Rwanda Patriotic Front. Many scholars argue that despite appearing more "democratic" through policies of gender equality and political integration, the current Rwandan state, dominated by the RPF, is becoming increasingly authoritarian.[28] This stems in part from the post-genocide victory of the RPF party, which was then able to maintain a stronghold over the re-emerging, recovering state, eliminating opposition parties in every election by banning their existence (Tripp, Konate, and Lowe-Morna 2006; Burnet 2008; Human Rights Watch 2003).[29] The women's quotas have won the party considerable support among the female population; the reserved seats have thus increased the loyal constituency of the RPF as well supportive parliamentarians. "The top leadership posts held by women have primarily gone to pro-Rwanda Patriotic Front (RPF) Anglophone Rwandans" (Tripp, Konate, and Lowe-Morna 2006, p. 122). Therefore, although the RPF does not directly elect the 24 women who access the parliament through the quota, the authoritarian nature of the state and the party structure impacts female parliamentarians' decision-making and at times hinders the development of democracy, which is what guarantees the advancement of women and of the country as a whole in the long run. If the regime is discredited as an authoritarian regime, then the women within its structure will likely suffer the same fate.

## Conclusion

This chapter considered the impact of reserved seats to address women's underrepresentation. Bangladesh and Rwanda both adopted constitutionally

28. According to Jennie Burnet, Rwanda's increased authoritarianism under the dominance of Rwanda Patriotic Front presents a paradox for women's increased political participation in the short term, since "as their participation has increased, women's ability to influence policy making has decreased". In the long term, however, she argues that, "the increased participation of women could prepare the path for their meaningful participation in a genuine democracy" (2008, p. 363).

29. The single party dominance of Rwanda Patriotic Front is also apparent when "both female and male representatives in government who fail to toe the Rwanda Patriotic Front line are forced to resign" (Burnet 2008, p. 381).

mandated reserved seats quotas. While Rwanda was able to reach a critical mass of women in its national parliament in the first election following quota adoption, after nine general elections Bangladesh still lags far behind. Vast differences between these two states have impacted the processes of quota adoption, including differences between the institutions that support or hinder quota implementation, resulting in the marked success of the Rwandan quota on one hand and the failure of the quota to impact the demographic of parliament in Bangladesh in any significant way.

The women's movements in Rwanda played a key role in organizing and campaigning on gender issues, including reserved seats and women's presence at different levels of government and they kept an active presence during the drafting of the constitution. In part the circumstances of the horrific genocide created an environment within which women prominently entered the public sphere, where they were determined to stay. In Bangladesh, a newly established state similar to Rwanda in its patriarchal traditions, the women's movement in 1971 lacked the Rwandan movement's cohesive political mobilization. Although Bangladeshi women participated in mass numbers in the independence struggle from Pakistan, after independence they were marginalized from the formal political structure. Despite women's activities at the grassroots and NGO levels, which gained domestic and international support by focusing on direly-needed poverty eradication, they were unable to fully pressure the political elites and to present women's demands when the new constitution was drafted in 2004. Thus, the quotas adopted in Bangladesh did not reflect the interests of the women's movement.

The implementation of quotas in these two states has also been heavily impacted by the wording of relevant legal provisions, and by the relative support and commitment of political elites to enhance women's representation. One of the contributing factors to Bangladesh's failure is the mechanism for filling women's reserved seats, which constitutionally mandates parties to indirectly elect women to these seats. In contrast, in Rwanda the responsibility for electing women MPs for the quota falls to an assembly of women drawn from local-level elected women's councils, in turn drawn from women's rights organizations and advocacy groups. The Rwandan mechanism not only ensures that elected women remain accountable to women's organizations and grassroots interests, rather than to political elites; the empowerment of the female electorate has also encouraged Rwandan parties to nominate more women to run for the general

seats, to appeal to the majority female electorate by being gender equal. In Bangladesh the lack of real commitment by the entrenched male political hierarchy to gender parity in government is also evident in the failure to address aspects of the nation's electoral system, which is based on single-member districts and simple majority votes. Given the patriarchal elements of most societies, this system makes it harder to persuade political parties to nominate women, who are seen by party elites as risky, under the assumption that men will generally get more of the popular vote. However, the assumption is questionable, as Bangladesh has had women prime ministers for almost two decades.

Again it is clear that many factors are at play in the success of gender quotas. While we have analyzed the adoption and implementation of gender quotas, we have not had the scope to really consider what happens after women are elected into office. It is our hope that this particular study will contribute to a better understanding of the application of gender quotas for those working to increase the effectiveness in their design and implementation.

# Concluding Remarks

## Important Steps for Successful Gender Quota Adoption

### Preparing to Launch a Gender Quota Adoption Campaign

*Politicize and popularize the significance of increased women's political representation and its role on further democratization*

*Learn about the constitution, existing political structure, and electoral system of the country*

*Learn about the international treaties, conventions, and charters that the state has signed and ratified*

*Learn from the history of other gender quota cases*

*Build alliance between women's organizations, other civil rights movements, activists and supportive public intellectuals*

*Build alliances with various transnational organizations*

*Consider all the possibilities and then identify the quota system that best fits the existing electoral rules*

*Train supporters who can organize and work for the gender quota campaign*

*Be prepared for the long haul*

*Launching the campaign*

### Steps to Successful Gender Quota Implementation

*Quotas must fit well with the state's electoral and political structures*

*Quotas must be clearly worded with unequivocal language concerning implementation*

*Clear and serious consequences for non-compliance with legislative quotas*

*Quota rules and legislations must be advocated and designed by those who are truly committed to addressing women's underrepresentation*

*Continuously monitor the implementation process once the measure has been adopted*

### Final words

# Important Steps for Successful Gender Quota Adoption

This book intended to outline current discourses around women's political participation, their access to political decision-making positions, and the significance of gender quotas in reversing historical and systemic discrimination that women face in their attempts to access the formal political sphere. While representative democracies are now globally accepted as the ideal form of government, thus far, men have through various strategies managed to limit women's access to political and decision-making power. This worldwide reality even in the context of older democracies and in contexts where women's political rights have been legislated for decades has raised serious concerns among scholars and in particular feminists.

Having analyzed the various possible causes for women's political underrepresentation, feminist scholars have realized that the structural and systemic discrimination against women in political parties and state institutions directly hinders their access to political decision-making positions. These findings have increasingly led many feminists to question the alleged *democratic* natures of governments and national parliaments (Phillips 1991; Paxton 2007), and to explore the possible avenues to remedy the situation and pave the way for a democratization of parliamentary politics by increasing women's representation. Particularly, these explorations have led in many nations to experimentation with the adoption of gender quotas, yielding a range of results. In this work, we have analyzed the most prominent types of gender quotas and the extent of their success and their shortcomings, in order to suggest some preliminary guidelines for those interested in advocating for gender quotas to increase women's political representation.

Gender quota measures to reverse historical discrimination against women in accessing political positions, first appeared in the 1930s but fell out of favor only to reappear in the last quarter of the 20th century as the fastest and most practical channel for addressing women's underrepresentation in political and electoral fields. Not surprisingly, across the globe gender quotas have faced much resistance from male politicians and party leaders, who have found ways to undermine them even after their adoption. This

has meant that gender quotas advocates have had to be extremely vigilant, seeking strategies to counteract resistance. While initial re-experimentation with gender quotas was primarily by Nordic and Western European countries, in the early 21st century it is mostly developing nations and emerging democracies that have adopted them.

Close examination of the situations in both old and new democracies reveals the importance of activism and careful strategizing, more so than a state's level of democratic consolidation or economic development – factors that were stressed in earlier studies attempting to explain women's underrepresentation in politics. Recent studies indicate that level of democratization, development, and even culture play a minor role in the success of gender quota adoption. The most important factors appear to be the preparedness of women's movements in terms of mapping the possibilities for institutional reform, generating public discourse and support, and organizing and mobilizing the public towards this objective. Aside from women's movement activism, the willingness or level of commitment of political elites also plays a key role in the successful adoption and implementation of gender quotas. As well, our research shows that viable women's movements are able to capitalize on political restructuring opportunities that arise in the context of major political uprisings or post-conflict reconstruction, which provide occasion for the introduction of gender quotas in newly evolving political structures.

On the whole, women's rights activists are key actors in addressing women's underrepresentation, and in taking advantage of political opportunity structures (POS)[1] that present themselves at times of reconstruction. It is thus essential that national women's movements are organized and strategically able to clearly articulate and implement their demands. In this regard it is crucial that representatives from women's movements are at the negotiating table with political elites. Support and pressure from the transnational women's movement and other social justice networks are often quite significant in ensuring that the demands of local women are not silenced. It is also important to keep in mind that top-down quota reform, where input from women's rights organizations has been absent, often results in weak measures that ultimately hardly increase women's political representation

1. Political opportunity structures (POS) are defined as "consistent – but not necessarily permanent – dimensions of the political environment that provide incentive for collective action by affecting people's expectations for success or failure". The POS approach is useful for studying the interaction between social movements and political structures since it examines how political actors take advantage of existing opportunities and create new ones (Chappell 2002, p. 9).

or their political empowerment – top-down reforms often lead to gender quotas that primarily privilege the ruling elites, as the case of Bangladesh shows (Chowdhury 2003).

Below, based on the various case studies that we presented throughout this book, we outline key factors for gender quota advocates to consider, and the basic steps required to prepare the ground for successful adoption and implementation of gender quotas. A successful quota measure is one that can achieve its goal of politically empowering women and making them party to the decisions and policies that are made in their name; while preventing the behaviors and policies that systematically discriminate against women.

## Preparing to Launch a Gender Quota Adoption Campaign

- ***Politicize and popularize the significance of increased women's political representation and its role on further democratization:*** In order to build a national discourse on women's political participation, quota advocates must know the history and situation of women's political representation in their country. A first step is to document the extent of women's under-representation in parliament and other arenas of power, in order to then craft appropriate arguments for the importance of a critical mass of both genders to effectively represent both male and female constituencies, the two halves of the population. For instance, demonstrating how in a male-dominated parliament the reform of family law is often not taken up, or how various policies have consistently disadvantaged women. Often the importance of building and popularizing the discourse for a successful campaign is neglected.
- ***Learn about the constitution, existing political structure, and electoral system of the country:*** It is vital to learn about the existing political structures, including political party ideology and organization, and how these institutions overtly or covertly disadvantage women. Furthermore, a meticulous knowledge of the existing electoral system is of particular importance as the quota experiences of other contexts indicate that there **should be a good fit between** electoral system and the type of gender quota adopted.
- ***Learn about international treaties, conventions, and charters that the state has signed and ratified:*** Since in today's global world all nations strive to be members of the international community, and as members of the United Nations many states have signed a variety of UN moral and

legal guidelines such as the Universal Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), or the Beijing Platform for Action, it is important to learn about them and the various ways they can be used as tools to pressure for quota reforms. Many governments sign and ratify these documents without actually incorporating them into domestic laws. However, these documents can provide quota advocates with leverage to pressure political elites.

- ***Learn from the history of other gender quota cases:*** Advocacy for gender quota adoption requires much research and analysis on the part of quota advocates. It is absolutely essential to study both successful and unsuccessful gender quota cases from other countries and the reasons behind their success or failure, to avoid repeating their mistakes. A practical way to go about this is to organize workshops that bring together specialists in the field of women's political participation, and quota advocates from other contexts to share their knowledge and experiences, and to provide information for media campaigns to raise public awareness on the positive significance of quotas.
- ***Build alliance between women's organizations, other civil rights movements, activists and supportive public intellectuals:*** Demanding the introduction of gender quotas requires broad support from a range of women's and other organizations that may differ ideologically on other issues. Unity among different women's groups is essential, particularly since gender quota adversaries often use a "divide and conquer" strategy. Build alliances and coalitions with diverse women's groups and other civil society organizations concerned with social justice and human rights, and integrate them into the quota campaign. This can require a great deal of effort and engagement with key individuals affiliated with various organizations; focus on those whose concerns overlap with the campaign's objectives of enhancing women's political status (i.e. social justice and gender justice). The situation may require the re-politicization of other civil society actors or elites concerning the value of gender quotas and of their role in supporting quota adoption and implementation. For instance, it is vital to build linkages with women's committees or caucuses of existing political parties or institutions, as well as securing the support of popular intellectuals and key political elites, since their active involvement frequently plays a role in the success of the quota campaign.

- ***Build alliances with transnational organizations:*** Transnational women's and social justice organizations can provide important support for a quota campaign, including guidance on relevant international and bilateral organizations, assistance in establishing communication networks with actors from countries that have successfully adopted gender quotas, and help counteracting possible repressive moves that aim to silence women's rights activists. Transnational advocacy networks play an important role in educating and training local activists on how to effectively use United Nations and regional documents, and can provide a platform for campaigners to publicize their efforts internationally and demonstrate their legitimacy and level of support.
- ***Consider all the possibilities and then identify the quota system that best fits the existing electoral rules:*** Before launching a quota campaign, advocates should consider the various possibilities and outcomes, identify possible obstacles, and anticipate how they may be resolved. Among the central issues to be considered prior to quota introduction are: a) whether gender quotas should be applied at the candidacy level or to the final make-up of the parliament, b) how and if the electorate should choose the female candidates/members, c) whether the quota is to be legally mandated (either through a constitutional amendment or reforming the nation's election laws) or voluntarily adopted by the party leadership. All possible scenarios need to be carefully analyzed to anticipate how to avoid missteps which might allow adversaries to undercut the campaign. This will also help advocates to create a quota measure that fits with the existing political and electoral structures.
- ***Train supporters who can organize and work for the campaign:*** A successful quota campaign requires active involvement by many committed individuals who are well versed in the central arguments supporting quotas and who can persuasively transmit these arguments to the public at large. The process of campaigning for gender quotas is also by definition a process for training women to enter politics, and a public education campaign on the crucial role of public opinion in pushing the state and political elites towards a more inclusive democracy. To ensure public recognition and support of quota measures, advocates must develop mechanisms that enable exchange of feedback with the public. This helps ensure that what campaign spokespersons present reflect the views and desires of civil society.

- ***Be prepared for the long haul:*** Be prepared for great resistance from the majority of male political elites, who in most cases will be the actors who ultimately adopt or reject proposed quota measures. A coalition of women's movements has to carefully strategize and network with various key actors; this often takes a long time – even decades. For instance, in Turkey, KA-DER (The Association for Support and Training of Women Candidates) has been active since 1999 to address women's under-representation in national parliaments, through extensive media and lobbying campaigns on gender quotas. However its major victory came only 11 years later in a September 2010 referendum allowing affirmative action measures for women (without violating the principle of equality in the national constitution).[2] Patience, persistence and constant strategizing are important aspects of successful quota adoption.
- ***Launching the campaign:*** Once the ground-work is prepared:
    1. Launch the campaign with the active involvement of a coalition of women's movement(s), women activists, and other groups who are committed to the cause.
    2. Attract media coverage (including new social media) on the issues: low levels of women in politics; impacts of this on the society at large. Work to bring to media and public attention to other countries' successful quota adoption experiences and how these benefited women and society at large.
    3. Provide a platform, for example organize a public, multi-media and speaking event that brings together various supporters, particularly women, from different political parties, and grants them a public forum.
    4. Lobby party leaders and male politicians. Remind them that women make up 50% of the electorate and it will benefit party leaders if they gain women's votes by supporting women's demand for gender quotas. (At this point advocates should be able to present evidence that women voters are in fact supportive of the campaign).

2. The Turkish constitutional reform referendum carried out in September 2010 revises Article 10 of the constitution which enshrined the principle of equality before the law, by allowing legislation that would ensure equal rights of women. In other words, this revision makes taking measures to address gender inequality legal (Guzel Radikal, Hasan Celal, "Positive Discrimination for Women," Today's Zaman.10 March 2010, available from http://www.todayszaman.com/news-203830-positive-discrimination-for-women.html).

5. Clearly express to political elites and the public the goals of the campaign, an outline of how they are to be realized and the best scenario.
6. Keep the campaign alive through constant media coverage, workshops and conferences, and advocacy across the country in different constituencies to spread the message. The public at large needs continual lobbying as well on the benefits of gender quotas in order to build public pressure.
7. Recruit the support and involvement of celebrities, popular artists, or other public figures to popularize the campaign's demands.
8. Quota advocates need to continue working throughout the quota adoption process and provide political elites with educated feedback, including modifications to ensure the best fit and insights from other countries' experiences in gender quota adoption.
9. Even though the campaign is addressing women's underrepresentation, it should be clear that campaigners are demanding gender neutral quotas – that is, advocating for a quota to ensure that neither men nor women are underrepresented (ideally 50:50 representation, or minimum of one-third of either gender).

## Steps to Successful Gender Quota Implementation

- ***Quotas must fit well with the state's electoral and political structures:*** A good fit between the proposed quota type and the state's electoral system is considered among the most vital factors in successful quota implementation, and as discussed above requires advocates to thoroughly examine the existing political and institutional structures, and take heed from others' experiences. For example, as our case studies demonstrated, the list proportional representation electoral system best fits a quota system that applies to political party lists (whether legislative or political party quota), while a majoritarian/plurality electoral system best fits a quota system that establishes women's-only-districts, in which only women candidates are allowed to stand for election, or even a reserved seats quota which can be filled through direct popular elections (rather than through appointments). Political culture, ideology and party behavior are also important to understand for a successful implementation process, as is educating the public about the value of

the particular quota type and its complementarity with the electoral system and existing structures.

- ***Quotas must be clearly worded with unequivocal language concerning implementation:*** The wording of all aspects of quota measures must be carefully constructed to avoid serious pitfalls that imprecise wording can create. Although it is very difficult to pinpoint why some quotas are more successful than others, as success is highly dependent on the given broader social and political context, almost all scholars agree that gender quotas must be clear and unequivocal concerning implementation. The more specific and detailed the wording of quota legislation or party quota mandates is, the more likely it is that implementation will be successful.

The wording of the quota measure appears to be less significant regarding reserved seats as they apply to the final make-up of the national assembly rather than to the candidate recruitment or election stage. Nonetheless, reserved seats, similar to other quota types that have the objective of increasing women's representation, must lead to women's empowerment for political decision-making at large, and not act as a glass ceiling for women's political representation as they have in a number of states. This condition was successfully met in Rwanda's reserved seats quota as its constitution created the Gender Monitoring Office, with the objective to oversee and ensure quota implementation at every level of government, beginning with the local level bodies. Such training and preparation will provide the necessary infrastructure for women to gain the necessary political experience and eventually lead to their participation at all levels of decision-making. Rwanda's success in truly empowering women with their reserved seats provision is evident by the fact that 21 additional women were elected to parliament in general election, with 24 elected through the reserved seats provision, resulting in a total of 45 female representatives (from a total of 80 parliamentarians) in the 2008 parliamentary elections.

It is also important to ensure that once women are in the parliament, they are incorporated into prominent committees such as budget and planning, and not only to ones that are considered "feminine" such as welfare. Indeed, quota scholars are advocating adoption of quota provisions that also take into account women's appointment to powerful positions.

- ***Clear and serious consequences for non-compliance with legislative quotas:*** Strong sanctions for non-compliance are critical to the successful implementation of the newest and fastest growing type of gender quota: legislative quotas. This is clearly illustrated by France, which has a legislative quota of 50 percent, but to this day lacks the leverage to actually ensure parties comply. Conversely, in Argentina quotas are detailed to the extent that non-compliant parties have forty-eight hours to revise their lists, after which a judge will move women candidates to higher positions on the lists (as discussed in chapter five). Thus we see successful quota implementation in Argentina but not in France.
- ***Quota rules and legislation must be advocated and designed by those truly committed to addressing women's underrepresentation:*** Through their networking and lobbying, quota advocates must carefully identify the motivations and levels of commitment of political elites who are ultimately empowered to adopt and implement the quota measure. The effectiveness of quotas to politically empower women can be undermined by party leaders who implement them as a symbolic gesture and nominate the minimum quota requirement of women, which in effect makes the quota act as a threshold on women's representation. Conversely, actors such as women's groups or committee members active inside political parties can play instrumental roles in effective quota implementation. Courts and state institutions that monitor proper implementation are also significant in either overlooking or penalizing non-compliance.

  For instance, as evident in the case of Bangladesh, political elites have illustrated little commitment to politically empower women, and hence reserved seats quotas are implemented in a matter that benefits ruling elites. Similarly French party leaders that have been mandated to do so, remain hesitant in nominating female candidates, while many Swedish party leaders have voluntarily adopted quota provisions, and in turn increased their electoral appeal among the electorate.
- ***Continuously monitor the implementation process once the measure has been adopted:*** Monitoring the implementation process and ensuring it does lead to increased numbers of women in parliament is as important as the adoption campaign. As illustrated throughout the book, quota implementation like adoption requires the active involvement of civil society, particularly since quota implementation often involves trial and

error. As we witnessed for Argentina and to some extent Indonesia, the respective national women's movements quickly realized that the adopted quota could be strengthened to increase the number of women elected to office. Recognizing shortcomings in their quota's construction, the Argentinean women's movement managed to modify the quota so that parties had to nominate at least one women candidate for every two men (Semi-Zipper style) on party lists, and defined the legal provision concerning "seats parties *expected* to win" as "seats a party *has up for re-election*". Similarly, Indonesian women realized the significance of rank order rules and demanded the Semi-Zipper style across all party lists; to date however the Constitutional Court has ruled that this would be unconstitutional. The Indonesian women's movement continues to strategize concerning ways to strengthen their quota measure. One tactic, championed by Constitutional Court Judge Maria Farida Indrati, is to pressure the Court, as discussed in chapter five.

In sum, successful quota adoption and subsequent implementation involves a great deal of research, networking, and strategizing to run an effective campaign, and careful monitoring of the implementation process after a quota measure has been adopted. This is true whether a quota is voluntary, as with political party quotas, or adopted through legal reform as with legislative quotas or reserved seats. It is often argued that the adoption of gender quotas is meaningless without effective implementation.

## Final Words

We hope that this book can serve as a tool for activists interested in addressing women's political underrepresentation. This overview of gender quota debates and the various case studies is intended as a guide for action. We hope that we have managed to shed light on some theoretical and practical issues concerning gender quotas, and to provide interested activists with the necessary tools and arguments to further their demands for the enhancement of women's political rights and women's access to political decision-making positions.

# Glossary of Terms

**Absolute majority:** Refers to the number of votes that constitute more than half of the total votes of all eligible voters in a given constituency (50% + 1), including those absent from voting. See also **plurality vote**.

**Affirmative action**: Measures or policies enacted to benefit an underrepresented group, usually as a means to counter the effects of a history of discrimination. However, here we choose to refer to gender quota adoption as a "measure to counter discrimination", since the term "affirmative action" has been (wrongly) interpreted by some to mean "positive discrimination" and is thus controversial. The criticism stems from the argument that any form of "discrimination" is unjust, even if it is "positive discrimination".

**All Women Shortlist (AWS):** A measure adopted by United Kingdom's Labour Party in the 1990s, mandating that in 50% of upcoming "inheritor" seats (seats vacant due to retirement) and in 50% of "strong challenger" seats (seats deemed most winnable), the party would put forward a short list of only women candidates, to ensure an increase in the election of women.

**Alternative Vote (AV):** A preferential majoritarian voting system used in single-member districts (SMD). Voters use numbers to mark their preferences on the ballot paper, and the candidate with an absolute majority (50%+1) of the votes wins. However, if no candidate achieves an absolute majority of first preferences, the least successful candidates are eliminated and their votes reallocated according to voters' second preferences until one candidate has an absolute majority. Australia and Fiji use the Alternative Vote systems for their parliamentary elections.

**Ballot structure:** The way a ballot lists and/or groups candidates, and how voters are to vote. The ballot structure determines the degree of choice of the voter, as well as how much information is provided to enable an educated vote.

**Block Vote (BV):** A plurality system used in multi-member districts, in which voters vote for as many individuals are there are seats to be filled. The candidates with the highest total votes win the seats. Countries using Block Vote are Lebanon, Kuwait, and the Syrian Arab Republic.

**Closed party list:** Refers to the type of list a political party puts forth in a List Proportional Representation (**List PR**) system. In a closed party list, the ranked order of candidates on the list is fixed by the party itself, thus voters are not able to vote

for a particular candidate. Depending on the proportion of the votes received for the entire party in a given district, seats are allocated from the top of the list moving towards the bottom.

**Constituency:** The citizens of a given political district, or the geographical area that a particular elected official / Member of Parliament represents. See also **District**.

**Critical mass:** Critical mass with reference to women in politics denotes the minimum percentage of women representatives needed to impact an otherwise male dominated political arena in order to meaningfully address women's issues and concerns. The international community considered 30% female representation in national legislatures the minimum "critical mass" needed for women to be able to influence politics in women's advantage.

**Democracy:** A form of government in which the supreme power is vested in the people, exercised directly by them or by their elected agents (as in a **representative democracy**), characterized by formal equality of rights and privileges, including freedom of association and freedom of expression, enshrined in a constitution. Increasingly, gender equality is emphasized as an important feature of democratic systems.

**Democratic structure**: A system that holds free, fair and open elections in which no major (adult) group is excluded.

**Descriptive representation:** In the broader context *descriptive representation* refers to the idea that elected representatives should represent gender, ethnic, and minority constituencies. Hence, in this work it refers to the number of women holding political seats. Thus, an elected body should resemble a representative sample of the voters they are meant to represent, meaning 50% women and including various percentages of ethnic, racial and religious minority constituents who are otherwise often excluded from decision-making structures. Women activists argue that this means any truly democratic parliament should include 50% women, since woman make up at least half of any nation's population. See also **substantive representation**.

**Developing countries**: Refers to countries/nations with Low or Medium Human Development Index (HDI) rankings, while developed states are those ranked with High. See also **Human Development Index (HDI)**.

**Devolved assemblies**: Refers to the process of decentralization, where some decision-making power is transferred from the central government to local and provincial assemblies. The Scottish Parliament and the Welsh National Assembly, established in 1999, are instances of devolved assemblies in the UK.

**District:** Or **riding**, refers to the geographical area that a particular elected official/ Member of Parliament represents. The residents of a given political district are its **constituency**.

**District magnitude:** Refers to the number of legislative seats assigned to a district. Countries may either utilize single-member districts (SMD), where districts are represented by one parliamentarian, or multi-member districts (MMD), where districts are represented by multiple parliamentarians. Rarely, a country's electoral system treats the entire country as a single district for the parliamentary election.

***Eduskunta:*** The name for the Parliament of Finland.

**Electoral system:** The system that translates people's votes into seats. More specifically, the system determines how often elections may be held, who can participate in them and who can be elected, as well as the structure of the ballots and how the votes cast in an election are translated into seats won by candidates or political parties. The three general forms of electoral systems are **proportional representation (PR), majoritarian/plurality systems**, and **mixed systems**.

**Electorate:** Refers to the group of people entitled to vote in an election (same as voters).

**Feminism:** Refers to awareness of women's subordinate status within a patriarchal society and the ideas and actions to change this situation towards gender equality. There are many different trends of feminism; however, all of them advocate advancement of women's social, political and all other rights and opportunities equal to those of men.

**First Past the Post (FPTP):** Refers to an electoral system in which the candidate with the most votes wins; not necessarily with an absolute majority of the votes. It is used for elections in single-member districts (SMD). Canada, India and United States are examples of countries that use the FPTP system for their legislative elections. This system is the simplest form of majoritarian/ plurality system.

**Gender quota:** A measure adopted to ensure that both sexes are represented in national (or local) bodies in reasonable percentage. In practice given that men dominate the political sphere in all countries (except in Rwanda since 2008), a gender quotas is a mechanism to reverse the discrimination that women face as they attempt to access political positions in a given society. The intent is to help recruit women into political decision-making positions and to increase the very slow rate at which the number of women in politics is rising. There are three types of gender quotas: **political party quotas, reserved seats,** and **legislative quotas.** As further explained below some are adopted either through legal reform to the national constitution or election laws, or voluntarily adopted by political parties. Other terms for quotas that are voluntarily adopted rather than legally mandated are targets, **soft quotas** or informal quotas.

**Human Development Index (HDI):** Refers to a compound indicator of economic and social development (such as income per capita, infant mortality rate, average life expectancy, average years of education, political participation, etc.) established by the United Nations, which attempts to get away from purely monetary measurements of development. To see UNDP's Human Rights Reports and their rankings please visit http://hdr.undp.org/en/statistics/.

**Incumbent:** A candidate who is running for re-election. Often this person has a better chance of getting re-elected in comparison to a new candidate.

**International norms**: Refer to documents and rulings that were compiled by the international community and its organizations (such as the UN) and accepted by its members. These norms include series of recommendations to be followed by governments on various social justice, human rights, and gender issues.

**International IDEA:** The International Institute for Democracy and Electoral Assistance (http://www.idea.int).

**Labor force**: Refers to all adults who are either engaged in or are looking to be engaged in the economic activity of a country. Women's participation in the labor force is considered an important factor in women's empowerment and access to the public and political sphere.

**Labour Party**: A British political party which was established at the end of the 19th century (1893) to represent the interests of the urban working class and managed to win enough seats to form a government in the 1920s. The last time they were in power was from 1997-2010.

**Legislative Quotas:** Are legally mandated quotas, embedded either in the national constitution or electoral laws, requiring *all* political parties to nominate a certain percentage or proportion of women among their candidates. These quotas can be strengthened by sanctions for non-compliance. This is the newest form of quota system. Countries that have adopted legislative quotas are France, Iraq and Mexico. See also **gender quota.**

**Legislature:** Refers to a national assembly or **parliament** that has the power to legislate or pass, amend, and repeal laws.

**List Proportional Representation (List PR):** See **Proportional Representation (PR)**.

**Majoritarian systems:** Refer to one of the main types of electoral systems used in single-member districts (SMD). Under majoritarian electoral systems, candidates must receive an **absolute majority** (50%+1) of the total vote, and an example of which is **Alternative Vote (AV)**. Majoritarian systems differ slightly from **plurality systems** in that they intend to ensure an absolute majority for the winning candidate rather than merely the highest votes (**plurality voting**).

**Majoritarian/ Plurality**: Refers to the general type of electoral system in which candidates or parties with either the **plurality** (simply most number of votes) or **majority** (50%+1 of votes) win the election. See also **majoritarian systems** and **plurality systems**. Given that different countries may use different combinations of the two systems in different countries, the political literature uses majoritarian/plurality to refer to the general system.

**Mixed electoral system:** Refers to the third type of electoral system which attempts to mix the positive features of both proportional representation and majoritarian/plurality systems. For instance, this could include allotting half of the parliamentary seats to be filled using the proportional representation system, while the other half is filled using majoritarian/ plurality systems. Some of the countries that use mixed systems are Germany, Mexico, and the Philippines. See also **parallel systems**.

**Multi-member districts (MMD):** Refers to districts that are represented by multiple parliamentarians (opposite of single-member districts (SMD), which are represented by only one parliamentarian). See also **district magnitude.**

**Non-Governmental Organizations (NGOs):** Refers to civil society organizations that are formed with a purpose to address an issue or pursue an interest, often independent of governmental influence.

**Non-Western countries:** For the purpose of this paper, this category refers to countries that are not considered as part of the "West". We have also used the term developed (and developing) countries despite the fact that we have reservations on the way these concepts have come to exist and are used in the literature dealing with development. See also **Western countries**.

**Nordic countries:** Refers to the region in North Europe and the North Atlantic that consists of the five countries of Denmark, Finland, Iceland, Norway, and Sweden.

**Open party list:** Also at times called "free list". In contrast to closed party lists, open party lists allow voters to indicate not just their favored party but their favored candidate within that party as well.

**Parallel systems:** Are the most common form of **mixed electoral systems**, in which two different elections are held in parallel but independent to each other; one according to proportional representation system and the other according to majoritarian/plurality. The sole purpose of parallel system is to combine the benefits of the two dominant systems, and its results usually fall somewhere in between majoritarian/plurality and Proportional Representation systems. In Germany, for instance, half of the seats of the Bundestag (the lower house of parliament) are filled through List PR, and the rest are filled by plurality, using single-member constituencies. Voters make two parallel marks on the ballots, one for the party list, and the

other for the individual candidate.

**Parity Law** (in French ***Parité***): The *Parité* movement refers to the French feminists' demand for fifty-fifty balance between men and women in all elected assemblies. On June 6th 2000, the French Parity Law was eventually passed, which constitutionally mandated that each party nominate 50 percent candidates of both sexes overall, but with no conditions regarding which districts female candidates should run for. (Another key disadvantage of this law was that its sanctions for noncompliance were weak, which resulted in many parties ignoring the legislation).

**Parliament:** See **legislature**.

**Parliamentarian:** A member of the national parliament.

**Parliamentary seat:** A position within a legislature or parliament, usually filled by an elected person.

**Party Block Vote (PBV)**: Is a type of plurality system for multi-member districts, in which voters vote for party lists instead of individual candidates. The party with the highest amount of votes (**plurality votes**) wins all the seats in the district, and its list of candidates is adopted accordingly. Countries using PBV for parliamentary elections are Cameroon, Chad, and Singapore.

**Party magnitude:** Refers to the number of candidates elected from one party in one district and usually applies to the list of candidates that a party presents to the electorate. When the party magnitude is greater than one (i.e. the party expects to win more than one candidate in a particular district) they are more likely to nominate more women or minorities for that district.

**Personal is political:** Is a powerful phrase which was coined by feminist Carol Hanisch (1969) in her essay with the same title and refers to the theory that personal problems deserve political attention. This is due to the fact that many of the personal problems women experience in their lives are not their doing/fault, but are the result of systematic oppression. It is thus state responsibility to eliminate such forms of oppression or discrimination and address the issues that women face, even within the private sphere. For instance marriage and custody laws are not the making of the private sphere but laws of the nations.

**Plurality systems:** Refer to one of the main types of electoral systems, but differ from **majoritarian systems** in that plurality systems are used when more than two candidates or parties compete in a particular district, and often apply to elections for multi-member districts. Under plurality systems, candidates or parties must receive the highest number of votes (**plurality** or **simple majority**), without necessarily securing **absolute majority** of the vote as required by majoritarian systems. The two most common types of plurality system are **Bloc Vote (BV)** and **Party Bloc**

**Vote (PBV)**.

**Plurality vote:** Or "simple majority" refers to the highest number of votes received by the leading candidate or party in an election between three or more candidates or parties. See also **absolute majority**.

**Political opportunity structures (POS):** Refer to opportunities that present themselves in a political environment that enable collective action for political reform, ranging from institutional to legal reform (for instance arising post revolutions, at the end of civil war, with the signing of a peace treaty, etc). The POS approach is useful for studying the interaction between social movements and political structures since it examines how political actors take advantage of existing opportunities or create new ones.

**Political participation:** Encompasses many broad activities that influence politics and decision-making in either direct or indirect ways. Direct political participation in formal politics includes voting, running for political office, holding political office, or joining a political party; while indirect political participation includes involvement in civil society activities either at the local or national levels, campaigning for a just cause that one believes should be a government priority, or even participating in public awareness raising activities, such as activism through the media or holding demonstrations.

**Political party quotas:** Refer to party specific measures, usually adopted voluntarily, to increase the proportion of women (or minorities) among party candidates or elected representatives, mostly through setting a percentage, proportion, or numeric range for party lists that are put forth during elections. Examples of parties that have voluntarily adopted gender quotas are the UK's Labour Party, the Social Democratic Party of Germany, and the Socialist Union of Popular Forces (USFP) of Morocco. See also **gender quota**.

**Political party**: A political party is made up of groups of individuals with similar ideologies, to promote a vision and advocate particular policies and platforms of actions that are deemed to address what they view as the priority issues of the nation and for running the state.

**Politics:** Although politics may be defined in variety of ways, such as the process of collective decision-making, at its core it is about the distribution of resources among the nation based on various perspectives. The proponents of democracy and social justice advocate distribution of national resources as fairly as possible, with an eye to protect the interest of future generations as well; while on the other hand, neoliberals argue that market should decide how the wealth of a nation should be distributed.-

**Proportional Representation (PR):** Is one of the main types of electoral systems in which seats in the parliament are distributed to candidates or parties in proportion to the votes that they receive. This system mostly applies to districts that are

represented by more than one representative in the parliament, or multi-member districts; and favors parties more than independent candidates. **List Proportional Representation (List PR)** is the most common type of electoral system, in which each party puts forth its list of candidates in a particular district for competition. List PR can be either with "open" or "closed" party lists. Countries that use this system include Sweden, Argentina, and Indonesia.

**Quota:** See **gender quota.**

**Representative democracy**: Refers to a form of government in which citizens elect representatives to represent their interests in the political decision-making apparatus. It is expected that the interests of the majority are represented in the legislature. See also **democracy**.

**Reserved seats:** Refer to setting aside a number or percentage of parliamentary seats specifically for women. Women may be either directly elected to these seats, or appointed to them, generally by the executive branch. Countries with reserved seats quotas are Rwanda, Afghanistan and Jordan. See also **gender quota.**

**Riding:** See **district**.

**Semi-Zipper style:** Similar to **Zipper style quota**, it refers to a ranking rule for a quota implementation often applied to closed party lists. However, instead of alternating between men and women's names (as in the regular Zipper style), a Semi-Zipper ensures that one in every three candidates listed must be a female, as was practiced in Indonesia.

**Simple Majority:** See **Plurality vote.**

**Single-member districts (SMD):** Refers to districts that are represented by only one parliamentarian (opposite of multi-member districts (MMD), which are represented by multiple parliamentarians). See also **district magnitude.**

**Single Transferable Vote (STV):** Is a type of proportional representation system in which voters mostly vote for individual candidates (although a party-list option is possible). In this preferential voting system, voters rank as many candidates as there are seats for election according to their preference in their multi-member district. Once a vote threshold is set, those candidates who receive the threshold in the first round are declared elected and all excess votes are redistributed or transferred to other candidates according to the percentage of second choice that the voters marked. This process continues, until all the district seats are filled. Ireland and Malta are the two countries that use STV.

**Soft quotas:** Refer to informal targets of a minimum number of women to be nominated on party lists. These quotas are not legally mandated but rather a promise often at the party level. See also **gender quota.**

**State feminism:** Includes the institutionalization of women's interests by establishing consultative bodies overseeing the implementation of equality legislation and policy. Such state machinery (ranging from women's commissions to agencies) has the objective of addressing women's interests at the state level and prioritizing women's equality in decision-making. The Nordic countries benefit from extensive state feminism and social welfare policies, as the women's movements demanded direct state action to address women's demands.

**Structural Adjustment Programs (SAPs)**: Refers to policies implemented by international funding agencies such as the International Monetary Fund (IMF) and the World Bank (WB) in developing countries, often advocating withdrawal of state funding for services (education, health, electricity, etc.) and subsidies (on food) which were intended to benefit less-privileged segments of society. These agencies that have been advocating a neo-liberal economic perspective and the belief that the market is the most efficient mechanism for development since the 1970s make the implementation of SAPs a condition for granting loans to developing countries.

**Substantive representation**: Refers to the content and issues/draft laws that representatives (in this case female representatives) bring to the attention of the parliament which pertains to their constituency (in this case women), and encourage other delegates to vote for the draft law or the issue brought to their attention. Or as Pitkin (1972) argues "acting in the interest of the represented, in a manner responsive to them". Some feminists argue that substantive representation follows **descriptive representation**, in that "it takes women to represent women".

**Tokenism:** Involves women's appointment to only a limited amount of reserved seats (usually not exceeding 10 percent) by political elites. Women's representation in such token amounts is often used by the states to seem more gender equal, lacking the sincerity to truly empower women.

**Two-Round System (TRS):** Is a **majority/plurality** system in which once voters have cast their first ballot, choosing one candidate or party among several, a runoff is held between the two candidates or parties with the best showing (the second election is avoided if in the first round a candidate or party receives a pre-determined amount of votes (often **absolute majority** of the votes or 50%+1). This system may also take a plurality form in that more than two candidates contest the second round, and the ones with the highest number of the votes (**plurality** or simple majority) are elected, regardless of whether they won an absolute majority. This system can be applied either to single or multi-member districts and is used by countries like Iran, Cuba, and Egypt for their parliamentary elections.

**Universalism:** Refers to the ideal that all members of the society are treated equally, regardless of gender, race or ethnicity. However historically in many established democracies, such as France, universalism was based on the notion of the "abstract

individual," which was often associated with men and led to women's exclusion from the political sphere. In France this association was made with the justification that only men have the capacity to reason and make moral judgments.

***Varannan damernas****:* Term given to the Zipper style quota adopted by various Swedish parties in the 1990s, in which parties alternated men and women's names on party lists, hence ensuring equal division between both genders. The supporters of this measure tactfully emphasized its equality provision rather than the fact that it was essentially a 50 percent quota.

**Vernacularization:** Term popularized by anthropologist Sally Engle Merry referring to the way activists understand international human rights norms and practice them at the local level in their own specific contexts. According to her, rights talk gets translated into practice according to the vernacular used at the local level.

**Western countries:** The term "West" alludes to a political region rather than a geographical one. Geographically, Western countries are located on the different continents of Europe, North America, Asia, and Australia. While politically these states are stable representative democracies, with relatively high socio-economic positions the political representation of women varies considerably in these countries. See also **non-Western states**.

**Women-only districts:** Refers to a provision of some reserved seats type of quota, in which certain districts are reserved only for female candidates, in order to ensure that those districts will only return women representatives. In this regard, voters are to vote only for female candidates and male candidates from these districts are required to run in other districts.

**Zipper style quota:** The Zipper (sometimes referred to as **Zebra style**) of quota refers to a ranking rule for a quota implementation often applied to closed party lists, in which names of the candidates alternate according to gender. Indonesia used a **Semi-Zipper** style in which one in three candidates listed must be a female.

# Appendix A

## Dates of Global Women's Suffrage and Right to Stand for Election

Unless otherwise indicated, the date signifies the year women were granted the right both to vote and to stand for election. The countries listed below currently have a Parliament or have had one at some point in their history. Available from Inter-Parliamentary Union: http://www.ipu.org/wmn-e/suffrage.htm (accessed May 25, 2011)

**1788** United States of America (to stand for election)

**1893** New Zealand (to vote)

**1902** Australia*

**1906** Finland

**1907** Norway (to stand for election)*

**1913** Norway**

**1915** Denmark, Iceland*

**1917** Canada (to vote)*, Netherlands (to stand for election)

**1918** Austria, Canada (to vote)*, Estonia, Georgia[1], Germany, Hungary, Ireland*, Kyrgyzstan, Latvia, Lithuania, Poland, Russian Federation, United Kingdom*

**1919** Belarus, Belgium (to vote)*, Luxembourg, Netherlands (to vote), New Zealand (to stand for election), Sweden*, Ukraine

**1920** Albania, Canada (to stand for election)*, Czech Republic, Iceland**, Slovakia, United States of America (to vote)

**1921** Armenia, Azerbaijan, Belgium (to stand for election)*, Georgia[1], Sweden**

**1924** Kazakhstan[1], Mongolia, Saint Lucia, Tajikistan

**1927** Turkmenistan

**1928** Ireland**, United Kingdom**

**1929** Ecuador*, Romania*

**1930** South Africa (Whites), Turkey (to vote)

**1931** Chile*, Portugal*, Spain, Sri Lanka

**1932** Brazil, Maldives, Thailand, Uruguay

**1934** Cuba, Portugal*, Turkey (to stand for election)

**1935** Myanmar (to vote)

**1937** Philippines

**1938** Bolivia*, Uzbekistan

**1939** El Salvador (to vote)

**1941** Panama*

**1942** Dominican Republic

**1944** Bulgaria, France, Jamaica

**1945** Croatia, Guyana (to stand for election), Indonesia, Italy, Japan[1], Senegal, Slovenia, Togo

**1946** Cameroon, D.P.R. of Korea, Djibouti (to vote), Guatemala, Liberia, Myanmar (to stand for election), Panama**, Romania**, The F.Y.R. of Macedonia, Trinidad and Tobago, Venezuela, Viet Nam, Yugoslavia

**1947** Argentina, Japan[1], Malta, Mexico (to vote), Pakistan, Singapore

**1948** Belgium**, Israel, Niger, Republic of Korea, Seychelles, Suriname

**1949** Bosnia and Herzegovina, Chile**, China, Costa Rica, Syrian Arab Republic (to vote)*

**1950** Barbados, Canada (to vote)**, Haiti, India

**1951** Antigua and Barbuda, Dominica, Grenada, Nepal, Saint Kitts and Nevis, Saint Vincent and the Grenadines

**1952** Bolivia**, Côte d'Ivoire, Greece, Lebanon

**1953** Bhutan, Guyana (to vote), Mexico (to stand for election), Syrian Arab Republic**

**1954** Belize, Colombia, Ghana

**1955** Cambodia, Eritrea[2], Ethiopia, Honduras, Nicaragua, Peru

**1956** Benin, Comoros, Egypt, Gabon, Mali, Mauritius, Somalia

**1957** Malaysia, Zimbabwe (to vote)**

**1958** Burkina Faso, Chad, Guinea, Lao P.D.R., Nigeria (South)

**1959** Madagascar, San Marino (to vote), Tunisia, United Republic of Tanzania

**1960** Canada (to stand for election)**, Cyprus, Gambia, Tonga

**1961** Bahamas*, Burundi, El Salvador (to stand for election), Malawi, Mauritania, Paraguay, Rwanda, Sierra Leone

**1962** Algeria, Australia**, Monaco, Uganda, Zambia

| | |
|---|---|
| **1963** | Afghanistan, Congo, Equatorial Guinea, Fiji, Iran (Islamic Republic of), Kenya, Morocco, Papua New Guinea (to stand for election) |
| **1964** | Bahamas**, Libyan Arab Jamahiriya, Papua New Guinea (to vote), Sudan |
| **1965** | Botswana, Lesotho |
| **1967** | Democratic Republic of the Congo (to vote), Ecuador**, Kiribati, Tuvalu, Yemen (D.P. R.) |
| **1968** | Nauru, Swaziland |
| **1970** | Andorra (to vote), Democratic Republic of the Congo (to stand for election), Yemen (Arab Republic) |
| **1971** | Switzerland |
| **1972** | Bangladesh |
| **1973** | Andorra (to stand for election), Bahrain*, San Marino (to stand for election) |
| **1974** | Jordan, Solomon Islands |
| **1975** | Angola, Cape Verde, Mozambique, Sao Tome and Principe, Vanuatu[1] |
| **1976** | Portugal** |
| **1977** | Guinea Bissau |
| **1978** | Nigeria (North), Republic of Moldova[1], Zimbabwe (to stand for election) |
| **1979** | Marshall Islands, Micronesia (Fed. States), Palau |
| **1980** | Iraq, Vanuatu[1] |
| **1984** | Liechtenstein, South Africa (Coloureds + Indians) |
| **1986** | Central African Republic, Djibouti (to stand for election) |
| **1989** | Namibia |
| **1990** | Samoa |
| **1993** | Kazakhstan[1], Republic of Moldova[1] |
| **1994** | South Africa (Blacks) |
| **2002** | Bahrain** |
| **2005** | Kuwait |

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* Right subject to conditions or restrictions

** Restrictions or conditions lifted

1. Reference to several dates reflects the stages in the granting of rights. It is not uncommon, in countries previously under colonial rule, for women to have been granted the rights to vote and be elected by the colonial administration and to have had them confirmed at the time of accession to independence. Similarly, it is not uncommon, in countries that were formerly part of a federation and in which women were entitled to vote and be elected under the federal legislation, for women to have had these rights confirmed under the Constitution of the newly independent State.

2. In November 1955, Eritrea was part of Ethiopia. The Constitution of sovereign Eritrea adopted on 23 May 1997 stipulates that "*All Eritrean citizens, of eighteen years of age or more, shall have the right to vote.*"

# Appendix B

## Rwanda's Electoral Rules as it pertains to Women's Representation (Articles 76, 82, & 185)

Besides setting a minimum of one-third of decision-making positions at *all* levels of government (including local and ministerial levels) for women, the 2003 constitution also dictates the composition of the national parliament as follows. The careful wording of these articles is essential to the effective implementation of the Rwandan reserve seats for women. To read the Rwandan constitution in its entirety, please refer to http://www.rwandahope.com/constitution.pdf

- According to **Article 76**, for the *Chamber of Deputies* (or the lower house), the 80 members, representing 12 provinces for five-year terms, are elected in the following manner:
  - ***24 deputies*** (30 percent of the total) are reserved for women, to be elected by the Women's Council (also called the women's electoral college,[1] thus not through direct elections) from women-only ballots. The Article states that female members are "elected by a joint assembly composed of members of the respective District, Municipality, Town or Kigali City Councils and members of the Executive Committees of women's organizations at the Province, Kigali City, District, Municipalities, Towns and Sector levels." These 24 seats are distributed across the state so that two women are elected from each province and the city of Kigali. (The composition of the assembly that elects Rwandan female representatives is further explained below).
  - ***2 deputies*** are elected by the National Youth Council
  - ***1 deputy*** is elected by the Federation of the Associations of the Disabled
  - ***53 deputies*** (the remainder) are elected directly through the closed List PR system (Powley 2005). There is a 5% threshold of the popular

1. Although the assembly that elects women to the reserved seats in Rwandan national parliament is at times referred to as an electoral college, this body is very different from the American Electoral College, which is based on a more ambiguous system wherein it is not clearly defined as to who can become an electoral college members and how that happens. Unlike the American Electoral College, the body in Rwanda is elected by women's representatives and not by elites or party leader.

vote to prevent the representation of very small parties (Meierhenrich 2006). In other words any party that receives less than 5 percent of the total popular vote does not receive any seats in the parliament.

- **Article 82** The Senate shall be composed of 26 members serving for a term of eight years. 30 percent (8 seats) of its 26 members shall be women who are appointed or indirectly elected by various electoral colleges.
- **Article 185** established a Gender Monitoring Office to ensure quota implementation and equal gender opportunity at every level. According to this article:

"The Gender Monitoring Office shall be an independent public institution whose responsibilities include the following:

- To monitor and supervise on a permanent basis compliance with gender indicators of the programme for ensuring gender equality complementality in the context of the vision of sustainable development and to serve as a reference point on matters relating to gender equality and non-discrimination for equal opportunity and fairness;
- To submit to various organs recommendations relating to the program for the promotion of gender equality and complementality for national development.

The Gender Monitoring Office shall submit each year its program and activity report to the Cabinet and submits copies thereof to other State organs determined by law. The law shall determine its functions, organization and operation."

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# Index

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The goal of reducing gender inequalities in political representation has been elusive in many different kinds of political systems, even though women have made substantial progress in other areas, such as education, employment and healthcare. This wonderfully accessible book argues that gender quotas are an important strategy to improve women's political representation in legislatures and political parties and it lays out the history of this approach across the globe. It suggests however, that gender quotas are themselves not an 'easy fix' to gender discrimination since similarly designed quotas have had different outcomes across cases. The book's comparative approach untangles the various factors which need to be considered in designing, lobbying for, and implementing gender quotas so that they can be effective. This volume is tremendously useful and informative for activists and scholars across the globe and does a masterful job explaining divergent outcomes both within regions and across them. While teasing out some shared experiences, it encourages coalitions of activists to develop context-appropriate strategies to craft effective campaigns to end women's exclusion from political decision-making. Authors argue that although increasing countries are successfully and creatively using gender quotas, some of the wealthiest long-standing democracies still continue to experience greater legislative gender inequalities.

**Diane Singerman**, Co-Director of Middle East Studies at American University, and author of *Cairo Cosmopolitan: Politics, Culture, and Urban Space in the New Globalized Middle East*

In the march towards inclusive democracy and addressing women's historical exclusion from electoral processes, gender quotas have emerged across the North and the South as a major tool for redress. This book outlines successes as well as shortcomings of the various types of gender quotas as they intersect with electoral systems. In simple and lucid terms, Electoral Politics makes a valuable contribution to understanding the complexity of gender quotas by drawing upon eight case studies from across the globe. It is one of few scholarly works in the field geared towards diverse stakeholders, including scholars, practitioners and activists. Setting out lessons learnt and means to overcome systemic obstacles, it provides a clear guide to devising context specific strategies for increasing women's presence in electoral politics.

**Charlotte Bunch**, Founder of the Center for Women's Global Leadership, Rutgers University, and author of *Passionate Politics: Feminist Theory in Action* and *Demanding Accountability: The Vienna Campaign and Tribunal for Women's Human Rights*

خواتین زیرِ اثر مسلم قوانین
**Women Living Under Muslim Laws**
**النساء في ظل قوانين المسلمين**
**Femmes sous lois musulmanes**